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## TITLE 6—AGRICULTURAL CREDIT

### Chapter II—Production and Marketing Administration (Commodity Credit)

[1947 C. C. C. Soybean Bulletin 1]

#### PART 257—SOYBEAN LOANS AND PURCHASES

##### 1947 SOYBEAN LOAN AND PURCHASE PROGRAM BULLETIN

This bulletin states the requirements with respect to the 1947 Soybean Loan and Purchase Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). Loans and purchases will be made with respect to soybeans produced in 1947 in accordance with this bulletin.

Sec.	
257.131	Administration.
257.132	Availability of loans and purchases.
257.133	Approved lending agencies.
257.134	Eligible producer.
257.135	Eligible soybeans.
257.136	Eligible storage.
257.137	Approved forms.
257.138	Determination of quantity.
257.139	Determination of foreign material and dockage.
257.140	Liens.
257.141	Service fees.
257.142	Set-offs.
257.143	Loan rates and purchase price.
257.144	Interest rate.
257.145	Transfer of producer's equity.
257.146	Safeguarding of the soybeans.
257.147	Insurance.
257.148	Loss or damage to the soybeans.
257.149	Personal liability.
257.150	Maturity and satisfaction of loans.
257.151	Basis of purchase and settlement.
257.152	Removal of the soybeans under loan.
257.153	Release of the soybeans under loan.
257.154	Storage allowance.
257.155	Purchase of notes.
257.156	Field Offices of Commodity Credit Corporation.

**AUTHORITY:** §§ 257.131 to 257.156, inclusive, issued under sec. 7 (a), 49 Stat. 4 as amended, sec. 4 (a), 55 Stat. 493, 56 Stat. 768; 15 U. S. C. and Sup., 713 (a), 713a-8, 50 U. S. C. App., Sup., 969; Article Third, paragraphs (b) and (j), Charter of Commodity Credit Corporation.

§ 257.131 *Administration.* The program will be administered in the field by the county agricultural conservation committee under the general supervision of State PMA Committee in accordance with the provisions of §§ 257.131 to 257.

156, inclusive, and bulletins of Commodity Loan 2 (which establishes intra-departmental procedural and administrative responsibilities only and is not, therefore, published or made generally available to the public). Forms may be obtained from county committees in areas where loans and purchases are available, or from CCC field offices. County committees will determine or cause to be determined the quantity and grade of the soybeans, the amount of the loan, and the value of the soybeans delivered under a loan or purchase. All loan and purchase documents will be completed and approved by the county committee, which will retain copies of all documents. The county committee may designate in writing certain employees of the county agricultural conservation association to execute such forms on behalf of the committee. The county committee will furnish the borrower with the names of local lending agencies approved for making disbursements on loan documents. In case the producer wishes a direct loan from CCC, he will submit the loan documents to the county committee for transmittal.

§ 257.132 *Availability of loans and purchases—(a) Area.* (1) Loans will be available on eligible soybeans stored on farms in the States of North Dakota, South Dakota, Nebraska, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Kentucky, and other States as approved by CCC except those listed immediately below. CCC will not make loans in the following states: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, Texas, Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, and Connecticut. No loans will be available on warehouse stored soybeans.

(2) Purchases will be made of eligible soybeans in all states.

(b) *Time.* Loans will be available from harvest through January 31, 1948. Purchases will be made from harvest through June 30, 1948.

§ 257.133 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity with which CCC has entered into a Lending Agency Agree-

(Continued on p. 6423)

## CONTENTS

	Page
<b>Agriculture Department</b>	
See also Commodity Credit Corporation.	
Rules and regulations:	
Milk handling:	
Dayton - Springfield, Ohio, area.....	6430
Fall River, Mass., area.....	6427
Greater Boston, Mass., area.....	6426
Greater Kansas City area.....	6426
Lowell-Lawrence, Mass., area.....	6427
New York Metropolitan area.....	6427
Suburban Chicago, Ill., area.....	6428
<b>Alien Property, Office of</b>	
Notices:	
Vesting orders, etc.:	
Eichhorn, John George.....	6443
Fresenius, Albert H.....	6443
Grass, Christine P.....	6443
Groth, Hans.....	6444
Itow, Un.....	6442
Ruopp, George.....	6444
Schweissheim, Albert.....	6442
Sudzuki, Kanemitsu.....	6442
Unruh, Marie.....	6444
<b>Census Bureau</b>	
Rules and regulations:	
Foreign trade statistics; filing of export declarations for shipments of merchandise by air.....	6431
<b>Civil Aeronautics Board</b>	
Notices:	
Accident at Burbank, Calif.; hearing.....	6437
<b>Coast Guard</b>	
Notices:	
Approval and termination of approval of equipment.....	6436
<b>Commodity Credit Corporation</b>	
Rules and regulations:	
Soybean loans and purchases, 1947.....	6421
<b>Defense Transportation, Office of</b>	
Rules and regulations:	
Rail equipment, conservation; shipment of dressed poultry and summer apples.....	6435
Exceptions (2 documents).....	6435
<b>Federal Communications Commission</b>	
Notices:	
Hearings, etc.:	
Dillard, Pryor.....	6437
KRDO.....	6438





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### CONTENTS—Continued

<b>Federal Communications Commission—Continued</b>	Page
Notices—Continued	
Hearings, etc.—Continued	
Western Washington Broadcasting Co.....	6437
<b>Federal Housing Administration</b>	
Notices:	
2½ percent War Housing Insurance fund debentures, Series H; notice of second call for partial redemption.....	6440

### RULES AND REGULATIONS

### CONTENTS—Continued

<b>Federal Trade Commission</b>	Page
Notices:	
Hearings, etc.:	
Colgin, Richard, Co., Inc., et al.....	6438
Englishtown Cutlery, Ltd., Inc., et al.....	6438
Fitch, F. W., Mfg. Co.....	6439
Jackson Research Laboratories.....	6438
<b>Immigration and Naturalization Service</b>	
Proposed rule making:	
Primary inspection and detention; designation of temporary airports of entry for aliens:	
C. A. A. Field, Juneau, Alaska-Sky Harbor Seaplane Base, Duluth, Minn.....	6436
<b>Rules and regulations:</b>	
Primary inspection and detention:	
Lopena, Tex.; discontinuance as Class B port of entry.....	6430
Robbinston, Maine; change in port of entry classification.....	6430
<b>Indian Affairs, Office of</b>	
Rules and regulations:	
Wapato Indian Irrigation Project, Washington; organization.....	6431
<b>International Trade, Office of</b>	
Rules and regulations:	
Licenses, individual:	
General provisions.....	6432
Gift parcels, multiple shipments.....	6432
Prohibited exportations (4 documents).....	6431, 6432
<b>Interstate Commerce Commission</b>	
Notices:	
Car, reconsignment at Kansas City, Mo.....	6439
Coal, unloading at Mobile, Ala.....	6440
Shipments:	
Furniture.....	6439
Lumber:	
Bucoda, Wash.....	6439
Galvin and Tacoma, Wash.....	6439
Olympia and Seattle, Wash., and Gresham, Oreg.....	6440
Tacoma, Wash.....	6439
Lumber and shingles from Tacoma, Wash.....	6440
<b>Land Management, Bureau of</b>	
Rules and regulations:	
Alaska; granting of preference right of settlement on unsurveyed public lands to certain qualified veterans of World War II.....	6435
<b>Materials Distribution, Office of</b>	
Rules and regulations:	
Delegation of powers and ratification of certain previous actions of Temporary Controls Administrator (Corr.).....	6433
<b>Securities and Exchange Commission</b>	
Notices:	
Hearings, etc.:	
Alabama Power Co.....	6442
Central Maine Power Co.....	6441

### CONTENTS—Continued

<b>Securities and Exchange Commission—Continued</b>	Page
Notices—Continued	
Hearings, etc.—Continued	
Duquesne Light Co. and Allegheny County Steam Heating Co.....	6441
<b>War Department</b>	
Rules and regulations:	
Bridge regulations; San Joaquin River below Paradise Dam, Burns Cut-off, Middle River, King Island Cut, Honker Cut, and Little Potato Slough.....	6433
Military reservations; rights which may be granted.....	6430
<b>CODIFICATION GUIDE</b>	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.	
<b>Title 6—Agricultural Credit</b>	Page
Chapter II—Production and Marketing Administration (Commodity Credit):	
Part 257—Soybean loans and purchases.....	6421
<b>Title 7—Agriculture</b>	
Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders):	
Part 904—Milk in Greater Boston, Mass., marketing area.....	6426
Part 913—Milk in Greater Kansas City marketing area.....	6426
Part 927—Milk in New York metropolitan marketing area.....	6427
Part 934—Milk in Lowell-Lawrence, Mass., marketing area.....	6427
Part 947—Milk in Fall River, Mass., marketing area.....	6427
Part 969—Milk in suburban Chicago, Ill., marketing area.....	6428
Part 971—Milk in Dayton-Springfield, Ohio, marketing area.....	6430
<b>Title 8—Aliens and Nationality</b>	
Chapter I—Immigration and Naturalization Service, Department of Justice:	
Part 110—Primary inspection and detention (2 documents).....	6430
Proposed rule making (2 documents).....	6436
<b>Title 10—Army: War Department</b>	
Chapter V—Military reservations and national cemeteries:	
Part 502—Regulations affecting military reservations.....	6430
<b>Title 15—Commerce</b>	
Chapter I—Bureau of the Census, Department of Commerce:	
Part 30—Foreign trade statistics.....	6431
<b>Title 25—Indians</b>	
Chapter I—Office of Indian Affairs, Department of the Interior:	
Part 124—Wapato Indian Irrigation Project, Washington.....	6431



## CODIFICATION GUIDE—Con.

Title 32—National Defense	Page
Chapter VIII—Office of International Trade, Department of Commerce:	
Part 801—General regulations (4 documents).....	6431, 6432
Part 804—Individual licenses (2 documents).....	6432
Chapter IX—Office of Materials Distribution, Bureau of Foreign and Domestic Commerce, Department of Commerce:	
Part 903—Delegations of authority.....	6433
Title 33—Navigation and Navigable Waters	
Chapter II—Corps of Engineers, War Department:	
Part 203—Bridge regulations....	6433
Title 43—Public Lands: Interior	
Chapter I—Bureau of Land Management, Department of the Interior:	
Appendix—Public land orders:	
386 <sup>1</sup> .....	6435
412.....	6435
Title 49—Transportation and Railroads	
Chapter II—Office of Defense Transportation:	
Part 500—Conservation of rail equipment.....	6435
Part 520—Conservation of rail equipment; exceptions, permits, and special directions (2 documents).....	6435

<sup>1</sup> P. L. O. 412.

ment (Form PMA-97) or other form prescribed by the Administrator of PMA.

**§ 257.134 Eligible producer.** An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing the soybeans in 1947, as landowner, landlord, tenant, or sharecropper.

**§ 257.135 Eligible soybeans.** Eligible soybeans shall be soybeans which meet the following requirements:

(a) The soybeans must be produced in 1947 by the eligible producer.

(b) The beneficial interest in the soybeans must be in the producer tendering the soybeans for a loan or purchase and must always have been in him, or must have been in him and a former producer whom he succeeded before the soybeans were harvested.

(c) Soybeans tendered as security for a loan must grade No. 4 or better with respect to factors other than moisture and have a moisture content, not in excess of 14 percent. Soybeans which grade weevily, musty, sour, heating, hot, or which have any commercially objectionable odor, or which are otherwise of low quality are not eligible for a loan. Soybeans of all classes and grades will be eligible for purchase.

(d) In order to be eligible for a farm storage loan, soybeans must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing unless otherwise approved by the State PMA Committee.

**§ 257.136 Eligible storage.** Eligible storage for soybeans shall meet the following requirements:

(a) Under the loan program, eligible farm storage shall consist of farm bins and granaries which, as determined by the county committee, are of such substantial and permanent construction as to afford safe storage of the soybeans, permit effective fumigation for the destruction of insects, and afford protection against rodents, other animals, thieves, and weather.

(b) Under the purchase program, eligible warehouse storage shall consist of (1) public grain warehouses for which a Uniform Grain Storage Agreement (CCC Form H) has been executed (Warehouseman desiring approval may communicate with the CCC field offices serving the area in which the warehouse is located); or (2) warehouses operated by eastern common carriers under tariffs approved by the Interstate Commerce Commission. A list of approved warehouses will be furnished State PMA Offices and county committees, and information relating to such warehouses may be obtained from these offices.

(c) Under the purchase program, soybeans may be delivered to CCC binsites, if other facilities are not available.

**§ 257.137 Approved forms.** The approved forms constitute the loan and purchase documents which together with the provisions of §§ 257.131 to 257.156, inclusive, govern the rights and responsibilities of the producer and CCC and should be read carefully. Any fraudulent representation made by a producer in obtaining a loan or purchase, or in executing any of the loan or purchase documents, will render him subject to prosecution under the United States Criminal Code.

Notes and chattel mortgages must be dated on or before January 31, 1948, and executed in accordance with §§ 257.131 to 257.156, inclusive, with State and documentary revenue stamps affixed thereto where required by law. Offers of Sale must be executed and presented to the county committee on or before June 30, 1948. Notes and chattel mortgages and purchase documents executed by an administrator, executor, or trustee will be acceptable only where legally valid.

(a) **Farm storage loans.** Approved forms shall consist of producers' notes on CCC Commodity Form A, secured by chattel mortgages on CCC Commodity Form AA.

(b) **Purchase program.** Approved form shall consist of the Offer of Sale (CCC Purchase Form B) signed by the Producer and approved by the county committee, negotiable warehouse receipts if the soybeans to be sold to CCC are stored in an approved warehouse, and such other forms as may be prescribed by the Director, Fats and Oils Branch, PMA.

(c) **Warehouse receipts.** Soybeans in eligible warehouse storage under the purchase program must be represented by warehouse receipts which satisfy the following requirements:

(1) Warehouse receipts must be issued in the name of the producer, must be properly endorsed in blank so as to

vest title in the holder, and must be issued by an approved warehouseman.

(2) Each warehouse receipt must set forth in its written terms that the soybeans are insured for not less than market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado, or, in lieu of this statement, it must have stamped or printed thereon the word "Insured."

(3) The soybeans represented by each warehouse receipt must be free of all liens for warehouse charges.

(4) Separate warehouse receipts for each lot of soybeans stored for CCC must set forth in the written or printed terms the gross and net weight or bushels, grade, class, subclass, test weight and such other information as is required to determine the premium and discounts specified in § 257.143 and by the Uniform Warehouse Receipts Act or be accompanied by a certificate of the warehouseman identified with such warehouse receipt, setting out such information.

**§ 257.138 Determination of quantity.** Loans and purchases will be made at values expressed in cents per bushel. A bushel will be 60 pounds of soybeans free of dockage and foreign material in excess of 2 percent, when determined by weight, or 1.25 cubic feet of soybeans testing 60 pounds per bushel when determined by measurement. A deduction of  $\frac{3}{4}$  pound for each sack will be made in determining the net quantity of the soybeans when stored as sacked grain. In determining the quantity of soybeans in farm storage by measurement, fractional pounds of the test weight per bushel will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 60-pound soybeans:

For soybean testing	Percent
60 pounds or over.....	100
59 pounds or over, but less than 60.....	93
58 pounds or over, but less than 59.....	97
57 pounds or over, but less than 58.....	95
56 pounds or over, but less than 57.....	93
55 pounds or over, but less than 56.....	92
54 pounds or over, but less than 55.....	90
53 pounds or over, but less than 54.....	88
52 pounds or over, but less than 53.....	87
51 pounds or over, but less than 52.....	85
50 pounds or over, but less than 51.....	83
49 pounds or over, but less than 50.....	82

**§ 257.139 Determination of foreign material and dockage.** Dockage and foreign material other than dockage, which, singly or in combination total 2 percent or less shall not be deducted from the gross weight of the soybeans. If the total weight of foreign material and dockage combined is in excess of 2 percent, the excess shall be deducted from the total weight of soybeans in the determination of the net number of bushels of soybeans. For the purpose of this determination, dockage shall be computed in whole percents. Less than 1.0% actual dockage shall be disregarded and fractional percentages in excess of 1% shall be rounded to the next lower whole percent. Foreign material percentages shall be stated in tenths.

**§ 257.140 Liens.** The soybeans must be free and clear of all liens and encumbrances, or if liens or encumbrances exist



## RULES AND REGULATIONS

on the soybeans, proper waivers must be obtained.

§ 257.141 *Service fees*—(a) *Loans*. Where the soybeans under loan are farm-stored, the producer shall pay a service fee of 1 cent per bushel.

(b) *Purchases*. At the time the producer fills out the Offer of Sale he shall pay a preliminary service fee of \$1.50. In addition, the producer shall pay a service fee of  $\frac{1}{2}$  cent per bushel on each bushel of soybeans delivered in excess of 300 bushels.

§ 257.142 *Set-offs*. A producer who is listed on the county debt register as indebted to any agency or corporation of the United States Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of the loan or purchase agreement to the extent of such

indebtedness, but not to exceed that portion of the proceeds remaining after deduction of the service fees and amounts due prior lien holders. Indebtedness owing to CCC shall be given first consideration after claims of prior lien holders.

§ 257.143 *Loan rates and purchase price*—(a) *Basic loan and purchase rate and specifications*. The basic loan and purchase rate per net bushel of eligible Class I (Yellow) and Class II (Green) soybeans, containing 14% moisture and grading No. 2 or better in accordance with U. S. Grain Standards, stored in approved farm-storage or sold and delivered to normal delivery points, shall be \$2.04 per bushel.

The basic rate of Class III (Brown), Class IV (Black) and Class V (Mixed) soybeans shall be 20 cents per bushel less than the comparable basic rate for Class I and Class II soybeans.

Mixtures of Classes I and II eligible soybeans which contain 5% (actual) or less of Classes III and IV soybeans and bi-colored soybeans, either singly or in combination, shall take the applicable rate for Classes I and II soybeans. If more than 5% of Classes III and IV and bi-colored soybeans, either singly or in combination, are contained in a mixture of eligible soybeans which otherwise would take the rate for Classes I and II soybeans, the mixture shall take the applicable rate for Classes III, IV, and V soybeans. Mixture of green soybeans in Class I and yellow soybeans in Class II shall be disregarded for purposes of determining applicable loan and purchase rates.

(b) *Premiums and discounts*. Premiums and discounts from the basic loan and purchase rate shall be in accordance with the following schedule:

SCHEDULE OF PREMIUMS AND DISCOUNTS FROM BASIC LOAN AND PURCHASE PRICE FOR 1947 CROP SOYBEANS

Test weight <sup>1</sup>		Moisture <sup>2</sup>		Splits		Damage <sup>3</sup>	
Discounts		Premiums		Discounts		Discounts	
Lbs.	Cents	Percent	Cents	Percent	Cents	Percent	Cents
53.0.....	$\frac{1}{2}$	Below 11.3.....	6	15.1-20.0 both incl.....	$\frac{1}{2}$	4.0.....	34.0.....
52.0.....	1	11.3-11.7 both incl.....	5	20.1-25.0 both incl.....	$\frac{1}{2}$	5.0.....	35.0.....
51.0.....	$\frac{1}{2}$	11.8-12.0 both incl.....	4	25.1-30.0 both incl.....	$\frac{1}{2}$	6.0.....	36.0.....
50.0.....	2	12.3-12.7 both incl.....	3			7.0.....	37.0.....
49.0.....	$\frac{1}{2}$	12.8-13.2 both incl.....	2			8.0.....	38.0.....
		13.3-13.7 both incl.....	1				39.0.....
		13.8-14.0 both incl.....	0				40.0.....
Below 49 lbs. no loan				Above 30% no loan			41.0.....
							42.0.....
							43.0.....
							44.0.....
							45.0.....
							46.0.....
							47.0.....
							48.0.....
							49.0.....
							50.0.....
							51.0.....
							52.0.....
							53.0.....
							54.0.....
							55.0.....
							56.0.....
							57.0.....
							58.0.....
							59.0.....
							60.0.....
							61.0.....
							62.0.....
							63.0.....
							64.0.....
							65.0.....
							Continue $\frac{1}{2}$ ¢ discount for each 1%.

<sup>1</sup> Round down to nearest pound (drop fractions).

<sup>2</sup> Round to nearest  $\frac{1}{2}$ %.

<sup>3</sup> Round to nearest 1% (drop fractions of 0.5).

(c) *Out of condition soybeans*. Soybeans which are weevily, grade sour, musty, heating or which have any commercially objectionable foreign odor shall be subject to such discounts therefor as may be agreed upon at the time of purchase.

§ 257.144 *Interest rate*. Loans shall bear interest at the rate of 3 percent per annum, and interest shall accrue from the date of disbursement of the loan, notwithstanding any other printed provisions of the note.

§ 257.145 *Transfer of producer's equity*. The right of the producer to transfer either his right to redeem the soybeans under loan or his remaining interest may be restricted by CCC.

§ 257.146 *Safeguarding of the soybeans*. The producer who places the soybeans under loan is obligated to maintain the farm storage structures in good

repair, and to keep the soybeans in good condition.

§ 257.147 *Insurance*. CCC will not require the producer to insure the soybeans placed under farm storage loan; however, if the producer does insure such soybeans, such insurance shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the soybeans involved in the loss.

§ 257.148 *Loss or damage to the soybeans*. The producer is responsible for any loss in quantity or quality to the soybeans placed under farm storage loan, except that uninsured physical loss or damage occurring without fault, negligence, or conversion on the part of the producer, and resulting solely from an external cause other than insect infestation or vermin, will be assumed by CCC provided the producer has given the county committee immediate notice in

writing of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan.

§ 257.149 *Personal liability*. The making of any fraudulent representation by the producer in the loan documents or in obtaining the loan, or the conversion or unlawful disposition of any portion of the soybeans by him, shall render the producer personally liable for the amount of the loan and for any resulting expense incurred by any holder of the note.

§ 257.150 *Maturity and satisfaction of loans*. (a) Loans mature on demand but not later than April 30, 1948. The producer is required to pay off his loan in cash or to deliver the mortgaged soybeans in accordance with instructions of the county committee. Credit will be given for the settlement value of the



total quantity delivered, provided it was stored in the bins in which the soybeans under loan were stored, at the applicable loan rate, according to grade and/or quality. If the settlement value of the soybeans delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer. If the settlement value of the soybeans is less than the amount due on the loan, the amount of the deficiency, plus interest, shall be paid by the producer to CCC, or may be set off against any payment which would otherwise be made to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the soybeans may be delivered before the maturity date of the loan upon prior approval by the county committee.

(b) A credit of 2 cents per bushel will be allowed to the producer on soybeans delivered on track at a country point.

§ 257.151 *Basis of purchase and settlement.* (a) If the producer wishes to sell soybeans to CCC, he shall submit eligible warehouse receipts representing soybeans stored in eligible warehouse storage to the county committee for the quantity of such soybeans he elects to sell to CCC, or in the case of soybeans stored in other than eligible warehouse storage, he shall notify the county committee of his intention to sell and request delivery instructions. The producer must then complete delivery within a 15-day period immediately following the date the county committee issued delivery instructions, unless the county committee determines more time is needed for delivery. Delivery shall be made to an approved warehouse, or as otherwise directed by the director of the CCC field office, or his authorized representative. When delivery is completed, payment shall be made by sight draft drawn on CCC by the State PMA office. Subject to the provisions for set-offs in § 257.142, the producer shall direct to whom payment of the purchase price will be made.

(b) In the case of soybeans stored in eligible warehouse storage, purchases will be made on the basis of the weight, grade and other quality factors shown on the warehouse receipts and accompanying documents. Soybeans delivered from other than eligible warehouse storage will be purchased on the basis of official weight, grade, and other quality factors at destination; or on the basis of official weight at destination and official grade, and other quality factors at the inspection point shown on the shipping order furnished the producer, which unless otherwise agreed shall be the customary location, on the route of shipment, of an inspector licensed under the United States Grain Standards Act; or, if such soybeans are delivered to a local CCC binsite, on the basis of the weight agreed to by producer and county committee at time of delivery and on the basis of grade, and other quality

factors, determined by the State PMA laboratory or by an inspector licensed to grade soybeans. The grade analysis form will be CCC Purchase Form F.

(c) A payment of 2 cents per bushel will be made to the producer on soybeans delivered on track at a country point. In the event the producer is requested by the county committee to deliver his soybeans to a point more distant than his usual delivery point for the purpose of assembling in carload lots pursuant to delivery instructions issued by CCC, CCC will allow not more than 5 cents per ton per mile haul for the additional distance as determined by the county committee necessary to make such delivery. In no event shall the county committee approve payments for an additional haul in excess of 4 cents per bushel without prior approval of the Director of the CCC field office. The amount of payment for track loading and additional mileage shall be computed on the settlement sheet, certified by the county committee, and included in the amount of the sight draft.

§ 257.152 *Removal of the soybeans under loan.* If the loan is not satisfied upon maturity by payment or delivery, the holder of the note may remove the soybeans and sell them, either by separate contract or after polling them with other lots of soybeans similarly held. The producer shall have no right of redemption after the soybeans are pooled, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled soybeans as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the soybeans even though part or all of such pooled soybeans are disposed of under such policies at prices less than the current domestic price for such soybeans. Any sum due the producer as a result of the sale of the soybeans or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 257.153 *Release of the soybeans under loan.* Subject to the provisions of § 257.152 producer may at any time obtain release of the soybeans remaining under loan by paying to the holder of the note, the principal amount thereof, plus interest. If the note is held by an out-of-town lending agency or by CCC, the producer may request that the note be forwarded to a local bank for collection. In such case, where CCC is the holder of the note, the local bank will be instructed to return the note if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon repayment of a farm-storage loan, the county committee should be requested to release the mortgage by filing an instrument of release or by a marginal release on the county recording office records. Partial release of the soybeans prior to maturity may be arranged

with the county committee by paying to the holder of the note the amount of the loan plus charges and accrued interest, represented by the quantity of the soybeans to be released.

§ 257.154 *Storage allowance.* A farm storage payment of 7 cents per bushel will be paid to the producer (1) on soybeans delivered to CCC on or after the maturity date, or (2) on soybeans delivered to CCC prior to the maturity date pursuant to demand by CCC for repayment of the loan. If delivery is made prior to April 30, 1948, upon request by the producer and with the approval of CCC, the storage payment will be as follows:

- 6 cents per bushel if delivered in month of April 1948.
- 5 cents per bushel if delivered in month of March 1948.
- 4 cents per bushel if delivered in month of February 1948.
- 3 cents per bushel if delivered in month of January 1948.
- 2 cents per bushel if delivered in month of December 1947.

Earned storage shall be computed after delivery has been completed.

No storage payment will be made on soybeans delivered to CCC prior to April 30, 1948, pursuant to demand by CCC for the repayment of a loan if such demand for repayment was due to any fraudulent representation on the part of the producer or the fact that the soybeans were damaged, threatened with damage, abandoned, or otherwise impaired.

In the case of losses assumed by CCC under the loan program, CCC will pay the producer the full storage payment of 7 cents per bushel for the soybeans lost.

§ 257.155 *Purchase of notes.* CCC will purchase, from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to the date of purchase at the rate of 1½ percent per annum. Lending agencies are required to submit a weekly report to CCC and to the county committees on 1940 CCC Form F, or such other form as CCC may prescribe, of all payments received on producers' notes held by them, and they are required to remit promptly to CCC an amount equivalent to 1½ percent interest per annum on the amount of the principal collected from the date of disbursement to the date of payment. Lending agencies should submit notes and reports to the CCC field office serving the area.

§ 257.156 *Field offices of Commodity Credit Corporation.* The field offices of Commodity Credit Corporation and the areas served by each are shown below:

623 South Wabash Avenue, Chicago 5, Ill.; Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia.

300 Interstate Building, 418 East 13th St., Kansas City 6, Mo.; Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.



326 McKnight Building, Minneapolis 1, Minn.; Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Eastern Outfitting Building, 515 Southwest 10th Street, Portland 5, Oreg.; Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

Date program announced: February 27, 1947.

[SEAL] JESSE B. GILMER,  
President,  
Commodity Credit Corporation.

SEPTEMBER 24, 1947.

[F. R. Doc. 47-8829; Filed, Sept. 29, 1947;  
8:45 a. m.]

## TITLE 7—AGRICULTURE

### Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

#### PART 904—MILK IN GREATER BOSTON, MASS., MARKETING AREA

##### ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to notice published in the FEDERAL REGISTER (12 F. R. 6274) and actual notice given to interested persons prior thereto, a public rule making proceeding was held on September 20, 1947, to consider the suspension of such of the Class I pricing provisions of Order No. 4, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, hereinafter referred to as the "order," as may not reflect current economic conditions affecting the market supply and demand for milk and its products in the marketing area. The data, views, and arguments presented at such proceeding, together with other available information, indicate the necessity for the suspension of such of the provisions of the order as will result in a minimum Class I price for milk subject to the provisions of the order for the month of October 1947 which will be 44 cents per hundredweight higher than the minimum Class I price effective for September 1947.

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.), hereinafter referred to as the "act," and the order, and after having considered all relevant matters presented at the aforesaid public rule making proceeding, it is hereby found and determined that:

a. Subdivisions (i), (ii), and (iii) of § 904.7 (a) (1) of the order and the entire table contained in subdivision (iv) of said section, with the exception of the words "Class I Price (dollars per cwt.)," and the figure or price "5.65," do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order during the month of October 1947; and

b. In accordance with the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. Sup. 1001-1011), publication or service of this suspension order 30 days prior to its effective date hereby is found to be impracticable, unnecessary, and contrary to the public interest in that it is imperative to issue this suspension order immediately so as to facilitate and pro-

mote the orderly marketing of milk for the Greater Boston, Massachusetts, milk marketing area during October 1947, and in that the time intervening between the date when the need for this action became apparent and the effective date hereof is insufficient to provide for publication or service of this order 30 days prior to its effective date.

It is therefore ordered, That subdivisions (i), (ii), and (iii) of § 904.7 (a) (1) of the order and the entire table contained in subdivision (iv) of said section, with the exception of the words "Class I Price (dollars per cwt.)," and the figure or price "5.65" be and they hereby are suspended with respect to all milk subject to the provisions of the order during the month of October 1947.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C. this 25th day of September 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-8830; Filed, Sept. 29, 1947;  
8:45 a. m.]

#### PART 913—MILK IN GREATER KANSAS CITY MARKETING AREA

##### ORDER AMENDING ORDER, REGULATING HANDLING

§ 913.0 Findings and determinations—(a) Findings upon the basis of the hearing record. Pursuant to Public Act No. 10, 73rd Congress (May 12, 1933) as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and orders (7 CFR, Supp., 900.1 et seq; 11 F. R. 7737; 12 F. R. 1159, 4904), a public hearing was held upon a proposed marketing agreement and on proposed amendments to the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof it is hereby found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions of said order, as amended and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The said order, as amended and as hereby further amended regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held; and

(3) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of

and demand for such milk, and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings set forth herein.

(b) Additional findings. It is necessary to make effective promptly the present amendments to the order to reflect current marketing conditions and to give producers immediately some assurance of a substantial seasonal increase in prices as an incentive to maintain milk production during the fall and winter months of 1947-48. Any delay in the effective date of this order, as amended and as hereby further amended, will seriously threaten the supply of milk for the Greater Kansas City marketing area and, therefore, it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order for 30 days after its publication (See section 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237.)

(c) Determinations. It is hereby determined that handlers (excluding co-operative associations of producers who are not engaged in processing, distributing or shipping the milk covered by the order, as amended) of more than 50 percent of the volume of milk covered by this order, as amended, and as hereby further amended, which is marketed within the Greater Kansas City marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the Greater Kansas City marketing area, and it is hereby further determined that:

(1) The refusal or failure of handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Greater Kansas City marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (July 1947) were engaged in the production of milk for sale in the Greater Kansas City marketing area.

Order relative to handling. It is therefore ordered that from and after the effective date hereof the handling of milk in the Greater Kansas City marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further



amended; and the aforesaid order, as amended, is hereby further amended as follows:

Delete subparagraphs (1) and (2) of § 913.5 (a) and substitute therefor the following:

§ 913.5 *Minimum prices*—(a) *Class prices.*

(1) *Class I milk.* The price per hundredweight of Class I milk shall be the price determined pursuant to paragraph (b) of this section plus 75 cents during the months of March, April, May, June, July, and August, and plus 95 cents during the remaining months: *Provided*, That for any delivery period prior to April 1, 1948, the price shall be not less than \$4.96.

(2) *Class II milk.* The price per hundredweight of Class II milk shall be the price determined pursuant to paragraph (b) of this section plus 50 cents during the months of March, April, May, June, July, and August and plus 70 cents during the remaining months: *Provided*: That for any delivery period prior to April 1, 1948 the price shall be not less than \$4.71.

Issued at Washington, D. C., this 25th day of Sept. 1947, to be effective on and after the 1st day of Oct. 1947.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-8831; Filed, Sept. 29, 1947;  
8:45 a. m.]

#### PART 927—MILK IN NEW YORK METROPOLITAN MARKETING AREA

##### SUSPENSION OF CERTAIN PROVISIONS

Pursuant to notice published in the FEDERAL REGISTER (12 F. R. 6274) and actual notice given to interested persons prior thereto, a public rule making proceeding was held on September 22, 1947, to consider the suspension of such of the Class I-A pricing provisions of Order No. 27, as amended, regulating the handling of milk in the New York metropolitan milk marketing area, hereinafter referred to as the "order," as may not reflect current economic conditions affecting the market supply and demand for milk and its products in the marketing area. The data, views, and arguments presented at such proceeding, together with other available information, indicate the necessity for the suspension of such of the provisions of the order as will result in a minimum Class I-A price for milk subject to the provisions of the order for the month of October 1947 which will be 44 cents per hundredweight higher than the minimum Class I-A price effective for September 1947.

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act," and of the order, and after having considered all relevant matters presented at the aforesaid public rule making proceeding, it is hereby found and determined that:

a. The following provisions of the order do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order during the month of October 1947:

1. The words "other brands," appearing in § 927.2 (e) (1) (ii);

2. Section 927.2 (e) (1) (iii);

3. The words and figures "simple", "of the averages" and "and (iii)" appearing in § 927.2 (e) (1) (iv); and

4. The words "deduct four cents from" appearing in the table contained in § 927.5 (a) (1).

b. In accordance with the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. Sup. 1001-1011), publication or service of this suspension order 30 days prior to its effective date hereby is found to be impracticable, unnecessary, and contrary to the public interest in that it is imperative to issue this suspension order immediately so as to facilitate and promote the orderly marketing of milk for the New York metropolitan milk marketing area during October 1947, and in that the time intervening between the date when the need for this action became apparent and the effective date hereof is insufficient to provide for publication or service of this order 30 days prior to its effective date.

It is therefore ordered, That the following provisions of the order be and they hereby are suspended with respect to all milk subject to the provisions of the order during the month of October 1947:

1. The words "other brands," appearing in § 927.2 (e) (1) (ii);

2. Section 927.2 (e) (1) (iii);

3. The words and figures "simple", "of the averages," and "and (iii)" appearing in § 927.2 (e) (1) (iv); and

4. The words "deduct four cents from" appearing in the table contained in § 927.5 (a) (1).

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 25th day of September 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-8836; Filed, Sept. 29, 1947;  
8:46 a. m.]

#### PART 934—MILK IN LOWELL-LAWRENCE, MASS., MARKETING AREA

##### ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to notice published in the FEDERAL REGISTER (12 F. R. 6274), and actual notice given to interested persons prior thereto, a public rule making proceeding was held on September 20, 1947, to consider the suspension of such of the Class I pricing provisions of Order No. 34, as amended, regulating the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area hereinafter referred to as the "order," as may not reflect current economic conditions affecting the market supply and demand for milk and its products in the marketing area. The data, views, and arguments presented at such proceeding, together with other available information, indicated the necessity for the suspension of such of the

provisions of the order as will result in a minimum Class I price for milk subject to the provisions of the order for the month of October 1947 which will be 44 cents per hundredweight higher than the minimum Class I price effective for September 1947.

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.), hereinafter referred to as the "act," and the order, and after having considered all relevant matters presented at the aforesaid public rule making proceeding, it is hereby found and determined that:

a. Subdivisions (i), (ii), and (iii) of § 934.6 (a) (1) of the order and the entire table contained in subdivision (iv) of said section, with the exception of the words "Class I Price (dollars per cwt.)" and the figure or price "6.11", do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order during the month of October 1947, and

b. In accordance with the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. Sup. 1001-1011), publication or service of this suspension order 30 days prior to its effective date hereby is found to be impracticable, unnecessary, and contrary to the public interest in that it is imperative to issue this suspension order immediately so as to facilitate and promote the orderly marketing of milk for the Lowell-Lawrence, Massachusetts, milk marketing area during October 1947, and in that the time intervening between the date when the need for this action became apparent and the effective date hereof is insufficient to provide for publication or service of this order 30 days prior to its effective date.

It is therefore ordered, That subdivisions (i), (ii), and (iii) of § 934.6 (a) (1) of the order and the entire table contained in subdivision (iv) of said section with the exception of the words "Class I Price (dollars per cwt.)" and the figure or price "6.11", be and they hereby are suspended with respect to all milk subject to the provisions of the order during the month of October 1947.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 25th day of September 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-8835; Filed, Sept. 29, 1947;  
8:46 a. m.]

#### PART 947—MILK IN FALL RIVER, MASS., MARKETING AREA

##### ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to notice published in the FEDERAL REGISTER (12 F. R. 6274) and actual notice given to interested persons prior thereto, a public rule making proceeding was held on September 20, 1947, to consider the suspension of such of the Class I pricing provisions of Order No. 47, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area, hereinafter re-



ferred to as the "order," as may not reflect current economic conditions affecting the market supply and demand for milk and its products in the marketing area. The data, views, and arguments presented at such proceeding, together with other available information, indicate the necessity for the suspension of such of the provisions of the order as will result in a minimum Class I price for milk subject to the provisions of the order for the month of October 1947 which will be 44 cents per hundred-weight higher than the minimum Class I price effective for September 1947.

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, 7 U. S. C. 601 et seq., hereinafter referred to as the "act," and the order, and after having considered all relevant matters presented at the aforesaid public rule making proceeding, it is hereby found and determined that:

a. Subdivisions (i), (ii), and (iii) of § 947.6 (a) (1) of the order and the entire table contained in subdivision (iv) of said section, with the exception of the words "Class I price (dollars per cwt.)," and the figure or price "6.40," do not tend to effectuate the declared policy of the act with respect to all milk subject to the provisions of the order during the month of October 1947; and

b. In accordance with the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. Supp., 1001-1011), publication or service of this suspension order 30 days prior to its effective date hereby is found to be impracticable, unnecessary, and contrary to the public interest in that it is imperative to issue this suspension order immediately so as to facilitate and promote the orderly marketing of milk for the Fall River, Massachusetts, milk marketing area during October 1947, and in that the time intervening between the date when the need for this action became apparent and the effective date hereof is insufficient to provide for publication or service of this order 30 days prior to its effective date.

It is therefore ordered, That subdivisions (i), (ii), and (iii) of § 947.6 (a) (1) of the order and the entire table contained in subdivision (iv) of said section with the exception of the words "Class I price (dollars per cwt.)," and the figure or price "6.40" be and they hereby are suspended with respect to all milk subject to the provisions of the order during the month of October 1947.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 25th day of September 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-8833; Filed, Sept. 29, 1947;  
8:46 a. m.]

#### PART 969—MILK IN SUBURBAN CHICAGO, ILL., MARKETING AREA

##### ORDER, AMENDING ORDER REGULATING HANDLING

§ 969.0 Findings and determinations—(a) Findings upon the basis of

the hearing record. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and orders, as amended (7 CFR, Supps. 900.1, et seq., 11 F. R. 7737, 12 F. R. 1159, 4904), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Suburban Chicago, Illinois, marketing area, and the decision (12 F. R. 6300) was made, with respect to the amendment, by the Secretary on September 17, 1947. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of, pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

The foregoing findings are supplementary and in addition to the findings made in connection with the issuance of the aforesaid order and the findings made in connection with the issuance of each of the previously issued amendments thereto; and all of said previous findings are hereby ratified and affirmed except insofar as such findings may be in conflict with the findings set forth herein.

(b) Additional findings. It is necessary to make effective promptly the present amendments to the said order, as amended, to reflect current marketing conditions and to give producers immediately some assurance of a substantial seasonal increase in prices as an incentive to a needed increase in milk production during the fall and winter months of 1947-48. Any delay in the effective date of this order, as amended, and as hereby further amended, will seriously threaten the supply of milk for the Suburban Chicago, Illinois, marketing area, and, therefore, it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order for 30 days after its publication. (See section 4 (c), Administrative Pro-

cedure Act, Public Law 404, 79th Cong., 60 Stat. 237)

(c) Determination. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by this order, as amended and as hereby further amended, which is marketed within the Suburban Chicago, Illinois, marketing area, refused or failed to sign the marketing agreement regulating the handling of milk in the said marketing area which was heretofore approved by the Secretary of Agriculture (12 F. R. 6300); and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, amending the order as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order, further amending the aforesaid order, as amended, is approved or favored by at least two-thirds of the producers who, during April 1947 (said month having been determined to be a representative period), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Suburban Chicago, Illinois, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 969.4 (e) (3) (ii) and substitute therefor the following:

§ 969.4 Classification of milk. \* \* \*

(e) Computation of milk in each class.

\* \* \*

(3) \* \* \*

(ii) Multiply each of the resulting amounts by its average butterfat test (in the case of flavored milk and flavored milk drinks the test to be used shall be the average fat test of the finished product if the handler's production records do not show the amount of butterfat contained therein); and add the results so obtained.

2. Redesignate § 969.4 (f) (6) as § 969.4 (f) (7).

3. Add the following as § 969.4 (f) (6):

(f) Allocation of milk classified. \* \* \*

(6) If after making the applicable deductions pursuant to subparagraphs (1) to (5), inclusive, of this paragraph, inclusive, (i) the amount of Class I milk is greater than the amount of milk received from producers plus the 3.5 percent milk equivalent of butterfat overrun, if any, and none of the butterfat received from producers has been allocated to Class II milk, Class III milk, or



Class IV milk, the amount of Class I milk allocated to producers shall be equal to the amount of milk received from producers plus the 3.5 percent milk equivalent of the butterfat overrun, or (ii) the amount of Class I milk plus the 18 percent cream equivalent of the butterfat in the remaining Class II milk, Class III milk, and Class IV milk is greater than the amount of milk received from producers plus the 3.5 percent milk equivalent of butterfat overrun, if any, the difference shall be subtracted from the amount of Class I milk. In either case the adjusted volume of Class I milk shall be used in the computation of the handler's obligation to producers.

4. Delete from § 969.4 (b) (4) (iii) the words "or to a plant not meeting such description."

5. Delete from § 969.4 (e) (6) (vi) the words "or to plants not described in § 969.1 (f)."

6. Delete paragraphs (a) and (b) of § 969.5 and substitute therefor the following:

§ 969.5 *Minimum prices*—(a) *Basic formula price.* The basic formula price to be used in computing the prices of Class I milk and Class II milk for each delivery period shall be the higher of the prices for Class III milk and Class IV milk as computed by the market administrator pursuant to subparagraphs (3) and (4) of paragraph (b) of this section for the delivery period next preceding; *Provided*, That the basic formula price effective for July shall not be less than that effective for the preceding month, and that such price effective for December shall not be higher than for the preceding month.

(b) *Class prices.* Subject to the appropriate location adjustment credit set forth in paragraph (c) of this section, each handler, at the time and in the manner set forth in § 969.3, shall pay per hundredweight of milk purchased or received during each delivery period from producers or from cooperative associations, not less than the prices set forth below in this paragraph, f. o. b. his plant or station from which Class I milk is distributed in the marketing area.

(1) *Class I milk.* (i) The price for Grade A Class I milk shall be the basic formula price plus the following amount for the delivery period indicated: May and June, \$0.50; August, September, October, and November, \$0.90; all others, \$0.70; and (ii) the price for Grade B Class I milk shall be the price for Grade A Class I milk less 10 cents.

(2) *Class II milk.* (i) The price for Grade A Class II milk shall be the basic formula price plus the following amount for the delivery period indicated: May and June, \$0.30; August, September, October and November, \$0.50; all others, \$0.40; and (ii) the price for Grade B Class II milk shall be the price for Grade A Class II milk less 10 cents.

(3) *Class III milk.* The price for Class III milk shall be the highest of the prices resulting from the respective formulas set forth in subdivisions (i) and (ii) of this subparagraph and in subparagraph (4) of this paragraph.

(i) The average of the prices per hundredweight reported to have been paid,

or to be paid, for such delivery period to farmers for milk containing 3.5 percent butterfat delivered during such delivery period at each of the following listed manufacturing plants or places for which prices are reported to the United States Department of Agriculture or to the market administrator:

*Companies and Location*

Borden Co., Black Creek, Wis.  
Borden Co., Greenville, Wis.  
Borden Co., Mt. Pleasant, Mich.  
Borden Co., New London, Wis.  
Borden Co., Orfordville, Wis.  
Carnation Co., Berlin, Wis.  
Carnation Co., Jefferson, Wis.  
Carnation Co., Chilton, Wis.  
Carnation Co., Oconomowoc, Wis.  
Carnation Co., Richland Center, Wis.  
Carnation Co., Sparta, Mich.  
Pet Milk Co., Belleville, Wis.  
Pet Milk Co., Coopersville, Mich.  
Pet Milk Co., Hudson, Mich.  
Pet Milk Co., New Glarus, Wis.  
Pet Milk Co., Wayland, Mich.  
White House Milk Co., Manitowoc, Wis.  
White House Milk Co., West Bend, Wis.

(ii) The price per hundredweight computed from the following formula:

(a) Multiply the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture, by 6;

(b) Add 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin; *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this formula;

(c) Divide by 7;

(d) Add 30 percent thereof; and

(e) Multiply by 3.5.

(4) *Class IV milk.* The price for Class IV milk shall be that computed from the following formula: Multiply by 3.5 the arithmetical average of daily wholesale prices per pound of 92-score butter in the Chicago market, as reported by the United States Department of Agriculture during the delivery period, add 20 percent thereof, and add to, or subtract from, such sum  $3\frac{3}{4}$  cents for each full  $\frac{1}{2}$  cent that the arithmetical average of carlot prices per pound of nonfat dry milk solids (not including that specifically designated animal feed), spray and roller process, f. o. b. Chicago area manufacturing plants, as reported by such agency during the delivery period, is respectively above or below 5 cents; *Provided*, That for the delivery periods of March, April, May and June "6 cents" shall be substituted for "5 cents" in such computation; *And provided further*, That if such f. o. b. manufacturing plant prices of nonfat dry milk solids are not reported there shall be used for the purpose of such computation the arithmetical average of the carlot prices of nonfat dry milk solids delivered at Chicago, Illinois, as reported weekly by such agency during the delivery period; and in the latter event the respective amounts "5 cents" and "6 cents" shall be increased by one cent.

7. Delete § 969.6 (b) and substitute therefor the following:

§ 969.9 *Application of provisions.* \* \* \*

(b) *Uniform prices for both Grade A and Grade B milk.* (1) Subject to subparagraphs (2) and (3) of this paragraph, Grade A milk and Grade B milk received from producers at a handler's plant(s) shall be separately classified and valued, and a separate uniform price shall be computed for each such grade of milk.

(2) All milk received from producers at a plant from which any Grade A milk is disposed of shall be deemed to be Grade A milk unless such milk is identified and handled in accordance with the conditions set forth in subparagraph (3) of this paragraph.

(3) In the case of milk received from producers at a plant which a public health authority has approved for receiving, processing, and distributing both Grade A and Grade B milk and the Grade A milk is received from producers specifically designated by the health authority as qualified to produce such milk, the market administrator shall determine the classification of Grade A and Grade B milk respectively in the following manner:

(i) Prorate total plant utilization of milk in each class computed in the manner set forth in § 969.4 to receipts from Grade A and Grade B producers by applying the percentages that receipts from the producers of each such grade of milk are of the total receipts of milk from all producers at such plant or (ii) upon written request not less than 30 days in advance of the delivery period by a handler, who maintains adequate accounts and records of quantities of each grade of milk used in each class, and who practices complete segregation of Grade A and Grade B receipts, the market administrator in applying § 969.4 shall determine a separate classification for Grade A and Grade B milk in such plant.

8. Add as § 969.6 (c) the following:

(c) *Butterfat in skim milk.* A handler may claim, for classification purposes pursuant to § 969.4, butterfat in skim milk disposed of to others or used in the manufacture of milk products by including the butterfat content of such skim milk in his report for the delivery period filed pursuant to § 969.3 (a) (2) or by giving prior notification to the market administrator of his desire to do so. In the event that a handler does not have adequate records of the butterfat content of such skim milk, the market administrator shall use 0.06 percent as the butterfat content per hundredweight of such skim milk; *Provided*, That if the handler desires to discontinue accounting for butterfat in skim milk, or after discontinuing the accounting therefor desires to again account for the same, he may do so by notifying the market administrator in writing at least 30 days prior to the first day of the delivery period during which such change shall become effective.

9. Insert in § 969.9 following the phrase "an amount not exceeding 4 cents per



## RULES AND REGULATIONS

hundredweight" the words "or such lesser amount as the Secretary may prescribe," and delete from such section the words "the exact sum to be determined by the market administrator, subject to review by the Secretary."

10. Delete from § 969.10 (a) the parenthetical phrase "(or such lesser amount as the market administrator shall determine to be sufficient, such determination to be subject to review by the Secretary)" and substitute therefor the words "or such lesser amount as the Secretary may prescribe."

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C., 601 et seq.; Reorg. Plan 1 of 1947, 12 F. R. 4534)

Issued at Washington, D. C. this 25th day of September 1947, to be effective on and after the 1st day of October 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-8832; Filed, Sept. 29, 1947; 8:45 a. m.]

#### PART 971—MILK IN DAYTON-SPRINGFIELD, OHIO, MARKETING AREA

##### ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937 (7 U. S. C., 601 et seq.), hereinafter referred to as the "act", and of the order, as amended, regulating the handling of milk in the Dayton-Springfield, Ohio, marketing area, hereinafter referred to as the "order", it is hereby found and determined that:

1. The provision "and adding 20 cents" in § 971.5 (d) (1) of the order does not tend to effectuate the declared policy of the act during and after the month of September 1947, insofar as said § 971.5 (d) (1) is applicable in making the computations specified in § 971.5 (a) (3) of the order, and

2. In accordance with the Administrative Procedure Act (Public Law 404, 79th Cong., 60 Stat. 237), notice of proposed rule making, public procedure thereon, and publication or service of this suspension order 30 days prior to its effective date hereby are found to be impracticable and contrary to the public interest in that it is imperative to issue this suspension order immediately so as to facilitate and promote the orderly marketing of milk produced in September 1947 and thereafter for the Dayton-Springfield, Ohio, milk marketing area, and in that the time intervening between the date when the need for this action became apparent and the effective date hereof is insufficient to provide for public rule making procedure, prior notice thereof and publication or service of this order 30 days prior to its effective date.

It is therefore ordered, That the provision "and adding 20 cents" in § 971.5 (d) (1) of the order be and it hereby is suspended with respect to milk subject to the provisions of the order during the month of September 1947 and thereafter, insofar as said § 971.5 (d) (1) is applicable in making the computation specified in § 971.5 (a) (3) of the order, but to that extent and for that purpose only.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 25th day of September 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-8834; Filed, Sept. 29, 1947; 8:46 a. m.]

## TITLE 8—ALIENS AND NATIONALITY

### Chapter I—Immigration and Naturalization Service, Department of Justice

#### Subchapter B—Immigration Regulations

#### PART 110—PRIMARY INSPECTION AND DETENTION

#### DISCONTINUANCE OF LOPEÑA, TEX., AS CLASS B PORT OF ENTRY

SEPTEMBER 11, 1947.

Section 110.1, *Designated ports of entry except by aircraft*, Chapter I, Title 8, Code of Federal Regulations, is amended by deleting "Lopena, Tex." from the list of Class B ports of entry in District No. 14.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., Sup., 1003) relative to notice of proposed rule making and delayed effective date are found unnecessary for the reason that traffic from Mexico through Lopena, Texas, has been stopped.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR 90.1, 12 F. R. 4781)

T. B. SHOEMAKER,  
Acting Commissioner of  
Immigration and Naturalization.

Approved: September 19, 1947.

TOM C. CLARK,  
Attorney General.

[F. R. Doc. 47-8808; Filed, Sept. 29, 1947; 8:56 a. m.]

#### PART 110—PRIMARY INSPECTION AND DETENTION

#### CHANGE IN PORT OF ENTRY CLASSIFICATION OF ROBBINSON, MAINE

SEPTEMBER 11, 1947.

Section 110.1, *Designated ports of entry except by aircraft*, Chapter I, Title 8, Code of Federal Regulations, is amended by deleting "Robbinston, Maine (June-September)" from the list of Class A ports of entry in District No. 1 and by inserting "Robbinston, Maine" between "Orient, Maine" and "St. Francis, Maine" in the list of Class B ports of entry in District No. 1.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., Sup., 1003) relative to notice of proposed rule making

and delayed effective date are found unnecessary for the reason that the port of Robbinston, Maine, will continue to be available to the Canadian fishermen by whom it is now used exclusively.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675, sec. 1, 54 Stat. 1238; 8 U. S. C. 102, 222, 458, 5 U. S. C. 133t; 8 CFR 90.1, 12 F. R. 4781)

T. B. SHOEMAKER,  
Acting Commissioner of  
Immigration and Naturalization.

Approved: September 20, 1947.

TOM C. CLARK,  
Attorney General.

[F. R. Doc. 47-8809; Filed, Sept. 29, 1947; 8:56 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### Chapter V—Military Reservations and National Cemeteries

#### PART 502—MILITARY RESERVATIONS

##### RIGHTS WHICH MAY BE GRANTED

Amend Part 502, Chapter V, Title 10, Code of Federal Regulations as set forth below:

1. Rescind paragraph (b) of § 502.6 and substitute the following therefor:

§ 502.6 *Rights which may be granted the Secretary of War.* \* \* \*

(b) *Leases.* The Secretary of War is authorized, whenever he shall deem it to be advantageous to the Government, to lease such real or personal property under his control as is not surplus to the needs of the War Department within the meaning of the Surplus Property Act of 1944 (58 Stat. 765), and is not for the time required for public use, to such lessee or lessees and upon such terms and conditions as in his judgment will promote the national defense or will be in the public interest. Each such lease will be for a period not exceeding 5 years unless the Secretary of War shall determine that a longer period will promote the national defense or will be in the public interest. Each such lease will contain a provision permitting the Secretary of War to revoke the lease at any time unless the Secretary of War shall determine that the omission of such provision from the lease will promote the national defense or will be in the public interest. In any event, each such lease will be revocable by the Secretary of War during a national emergency declared by the President. Notwithstanding section 321, act June 30, 1932 (47 Stat. 412; 40 U. S. C. 303b), or any other provision of law, any such lease may provide for the maintenance, protection, repair, or restoration by the lessee, of the property leased or of the entire unit or installation where a substantial part thereof is leased, as a part or all of the consideration for the lease of such property. In the event utilities or services are furnished by the War Department to the lessee in connection with any lease, payments for utilities or services so furnished may be covered into the Treasury to the credit of the appropriation or appropriations from which the



costs of furnishing any such utilities or services to the lessee were paid. Except as otherwise hereinabove provided, any money rentals received by the Government directly under any such lease will be deposited and covered into the Treasury as miscellaneous receipts. The authority granted does not apply to oil, mineral, or phosphate lands. The act of July 28, 1892, as amended (27 Stat. 321; 45 Stat. 938; 40 U. S. C. 303), is repealed. The lessee's interest will be made subject to State or local taxation. Any such lease of property will contain a provision that if and to the extent that such property is made taxable by State and local governments by act of Congress, in such event the terms of such lease will be renegotiated. See act August 5, 1947 (Pub. Law 364, 80th Cong.).

2. Amend the second sentence of paragraph (a) of § 502.10a to read as follows:

§ 502.10a *Rights which may be granted by division engineers.* (a) \* \* \* In the case of an installation under the command of the commanding general of a major command, except Army Air Forces major subordinate commands, the approval of such commanding general must be obtained by the division engineer.

3. Rescind paragraph (a) of § 502.11 and substitute the following therefor:

§ 502.11 *Limitations on rights which may be granted—(a) Consideration.* (1) Notwithstanding section 321, act June 30, 1932 (47 Stat. 412; 40 U. S. C. 303b), or any other provision of law, leases of War Department property may provide for the maintenance, protection, repair, or restoration by the lessee, of the property leased or of the entire unit or installation where a substantial part thereof is leased, as a part or all of the consideration for the lease of such property.

(2) The consideration for any use of War Department property must be adequate. This consideration may consist of either money or some direct or indirect adequate benefit to the United States.

[AR 100-62, Sept. 15, 1942, as amended by C 6, Aug. 29, 1947] (R. S. 161, 5 U. S. C. 22)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 47-8786; Filed, Sept. 29, 1947; 8:46 a. m.]

## TITLE 15—COMMERCE

### Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision 64]

#### PART 30—FOREIGN TRADE STATISTICS

##### FILING OF EXPORT DECLARATIONS FOR SHIPMENTS OF MERCHANDISE BY AIR

1. Section 30.33 is renumbered by adding thereto the lower-case letter "a," and the section will hereafter be known as § 30.33a.

2. Section 30.33b is added to this part to read as follows:

§ 30.33b *Shipments of merchandise by air: Exports of aircraft flown from the United States.* (a) Shipper's Export Declarations on Commerce Form 7525 must be filed by the shipper for all merchandise shipped on:

(1) Aircraft clearing from the United States, Alaska, Hawaii and Puerto Rico for foreign countries, the Virgin Islands of the United States and the Canal Zone;

(2) Aircraft clearing from one of the following areas to another: the mainland of the United States, Alaska, Hawaii and Puerto Rico; and

(3) Aircraft clearing from the Virgin Islands of the United States to foreign countries and the Canal Zone.

(b) Shipper's export declarations on Commerce Form 7525 must also be filed by the exporter for aircraft being flown from the United States for foreign account in all cases where clearance of aircraft is required.

(c) Shipper's export declarations should be filed at the port of lading of the cargo. However, when cargo is laden at a port other than the last port from which the aircraft finally obtains clearance from the United States for its foreign destination, a notation of the fact that export declarations have been filed should be made on the aircraft commander's copy of the outward manifest at the time the cargo is laden. This notation shall serve to inform Collectors of Customs at ports other than the port of lading that export declarations have previously been filed for the cargo.

3. Foreign Commerce Statistical Decision 24 is rescinded.

(R. S. 161, sec. 4, 32 Stat. 826, sec. 7, 44 Stat. 572; 5 U. S. C. 22, 601, 49 U. S. C. 177 (c))

J. C. CAPT,  
Director.

Approved: September 25, 1947.

WILLIAM C. FOSTER,  
Acting Secretary of Commerce.

[F. R. Doc. 47-8795; Filed, Sept. 29, 1947; 8:52 a. m.]

## TITLE 25—INDIANS

### Chapter I—Office of Indian Affairs, Department of the Interior

#### Subchapter I—Irrigation Projects, Operation and Maintenance

##### PART 124—WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

###### ORGANIZATION

Section 124.1 of this part is hereby amended to read as follows:

§ 124.1 *Organization.* The Wapato project shall be in charge of an engineer of the U. S. Indian Service who is authorized to administer, carry out and enforce the regulations of this part, either directly or through project employees. The project engineer or his representative may refuse delivery of water to any water user or landowner

who disregards or fails to comply with the regulations of this part. The project engineer is vested with authority to execute on behalf of the Secretary of the Interior water right applications by landowners of the project on the approved departmental form of application.

(Secs. 1, 3, 36 Stat. 270, 272, sec. 1, 38 Stat. 583, sec. 1, 45 Stat. 210, as amended; 25 U. S. C. 385, 387)

MASTIN G. WHITE,  
Acting Assistant  
Secretary of the Interior.

SEPTEMBER 19, 1947.

[F. R. Doc. 47-8782; Filed, Sept. 29, 1947; 8:45 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VIII—Office of International Trade, Department of Commerce

#### Subchapter B—Export Control

[Amdt. 354]

#### PART 801—GENERAL REGULATIONS

##### PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodities:

Dept. of Comm. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
813590	Medicinal and pharmaceutical preparations: Chemicals containing artificial radio-active isotopes.		None	None
813590	Uranium acetate.		None	None
813590	Uranium salts and compounds.		None	None

This amendment shall become effective August 8, 1947.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, Pub. Law 145, 80th Cong., Pub. Law 188, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

Dated: July 30, 1947.

FRANCIS MCINTYRE,  
Director,  
Export Control Branch.

[F. R. Doc. 47-8783; Filed, Sept. 29, 1947; 8:45 a. m.]

[Amdt. 355]

#### PART 801—GENERAL REGULATIONS

##### PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodities:



## RULES AND REGULATIONS

Dept. of Comm. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
850900	Nitrogenous fertilizer materials: Other nitrogenous chemicals materials except ammonium nitrate, calcium cyanamide, calcium nitrate and urea (report ammonium sulfate in 850500, and sodium nitrate, n. e. s. in 850700) <sup>1</sup>	Lb.	100	25

<sup>1</sup> Ammonium nitrate, calcium cyanamide, calcium nitrate, and urea, classified under schedule B No. 850900, are already on the Positive List.

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective September 12, 1947.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, Pub. Law 145, 80th Cong.; Pub. Law 188, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

Dated: September 8, 1947.

FRANCIS MCINTYRE,  
Director,  
Export Control Branch.

[F. R. Doc. 47-8784; Filed, Sept. 29, 1947;  
8:46 a. m.]

[Amdt. 356]

## PART 801—GENERAL REGULATIONS

## PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by deleting therefrom the following commodity:

Dept. of Comm. Sched. B No.	Commodity
837700	Industrial chemicals: Sodium phosphate, tri- or pyro-

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, Pub. Law 145, 80th Cong., Pub. Law 188, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

Dated: September 25, 1947.

W. S. THOMAS,  
Acting Director,  
Export Supply Branch.

[F. R. Doc. 47-8812; Filed, Sept. 29, 1947;  
8:46 a. m.]

[Amdt 357]

## PART 801—GENERAL REGULATIONS

## PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by deleting therefrom the following commodities:

Dept. of Comm. Sched. B No.	Commodity
	Paper, related products and manufactures:
473500	Sheathing and building paper;
	Gypsum lining paper.
516400	Stone, hydraulic cement and lime:
	Standard Portland cement.
	Iron and steel manufactures:
	Other domestic cooking or heating equipment:
615280	Warm-air distribution pipe and fittings.
615517	Circular saws, not metal cutting, except diamond (report circular diamond saws in 617891).
615520	Steel band, pit drag, and mill saws, woodworking.
618000	Door locks and lock sets of iron, steel, brass and bronze, except panic bolts, prison locks, rim deadlocks and heavy knob lock sets of brass or bronze.

This amendment shall become effective October 2, 1947.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, Pub. Law 145, 80th Cong., Pub. Law 188, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

Dated: September 23, 1947.

W. S. THOMAS,  
Acting Director,  
Export Supply Branch.

[F. R. Doc. 47-8813; Filed, Sept. 29, 1947;  
8:46 a. m.]

[Amdt. 358]

## PART 804—INDIVIDUAL LICENSES

## GENERAL PROVISIONS

Section 804.1 *General provisions* is amended by adding to paragraph (g) thereof the following:

The term "firm order" as used herein is interpreted to mean an order placed with an exporter in the United States by an importer in a foreign country which, if accepted by the exporter, will result in a binding contract between the exporter and the importer. While the terms of the order may be conditioned, such terms must be ascertainable and certain; for example, (1) the terms of payment may provide a price dependent upon the market price at the time of delivery; (2) the time or place of delivery may be dependent upon an event in the future, etc. A "firm order" is more than a mere business inquiry relating to the possible purchase of merchandise, although it need not be an agreement which can be presently executed. Furthermore, while orders may

be conditioned upon the issuance to the exporter of an export license by the Office of International Trade or the issuance to the importer of an import permit by his government, such orders would still be considered as firm orders within the meaning of these provisions.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, Pub. Law 145, 80th Cong., Pub. Law 188, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

Dated: September 25, 1947.

W. S. THOMAS,  
Acting Director,  
Export Supply Branch.

[F. R. Doc. 47-8814; Filed, Sept. 29, 1947;  
8:46 a. m.]

[Amdt. 359]

## PART 804—INDIVIDUAL LICENSES

## MULTIPLE SHIPMENTS OF GIFT PARCELS

Part 804 *Individual licenses* is hereby amended by adding thereto § 804.18 as follows:

§ 804.18 *Multiple shipments of gift parcels.* (a) There is hereby established a procedure whereby commercial gift packaging concerns may apply for licenses to export gift parcels, in a single shipment, through an intermediate consignee for delivery to individuals residing in Group K countries where the total value of the combined shipment exceeds the GLV dollar-value limitations specified for commodities included in the list of commodities set forth in paragraph (b) of § 801.2 of this chapter, but where the contents of each individual parcel do not exceed such specified limitations.

(b) *Definition of "gift parcel".* A "gift parcel" is defined as a parcel containing commodities to be sent free of cost to the person ultimately receiving them and must be for the personal use of the donee or his immediate family.

(c) Commercial gift packaging concerns desiring to export gift parcels under this procedure shall submit individual license applications for all commodities on the list of commodities set forth in paragraph (b) of § 801.2 in accordance with the procedure set forth below.

(1) Separate applications must be submitted for each country to which gift shipments are to be made, and must be accompanied by lists, in duplicate, showing the names of the donors in the United States and donees abroad together with their addresses.

(2) License applications must be submitted on form IT 419, accompanied by acknowledgment card form IT 116, and must include the following:

(i) Under item 6 (a), the name of the applicant who is acting as forwarding agent;

(ii) Under item 6 (b), the words "See attached list of Donors;"

(iii) Under 7 (a), the words "See attached list of Donees;"



(iv) Under item 7 (b), the name of the intermediate consignee in the foreign country;

(v) Under item 9, a complete description of the proposed shipment including the following:

(a) The total number of gift parcels to be shipped;

(b) The number and description of the shipping containers, i. e., bags, boxes, barrels, etc;

(c) Total quantity in terms of Schedule B units of each commodity on the list of commodities set forth in paragraph (b) of § 801.2; where unit of weight is not given, dollar value should be given;

(d) The processing code "Gift".

(d) The procedure set forth above does not apply to shipments of commodities not included in the list of commodities set forth in paragraph (b) of § 801.2 to group K countries since such commodities may be exported to any country within Group K under the general license set forth in § 802.7 of this chapter without restriction. Therefore, commodities which are not included in the list of commodities set forth in paragraph (b) of § 801.2 but which are included in gift parcels to be shipped under this procedure need not be included on the export license application.

This amendment shall become effective immediately.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, Pub. Law 145, 80th Cong., Pub. Law 188, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245)

Dated: September 25, 1947.

W. S. THOMAS,  
Acting Director,  
Export Supply Branch.

[F. R. Doc. 47-8815; Filed, Sept. 29, 1947;  
8:46 a. m.]

## Chapter IX—Office of Materials Distribution, Bureau of Foreign and Domestic Commerce

[Materials Control Reg. 1]

### PART 903—DELEGATIONS OF AUTHORITY

DELEGATION OF POWERS AND RATIFICATION OF CERTAIN PREVIOUS ACTIONS OF TEMPORARY CONTROLS ADMINISTRATOR

#### Correction

In Federal Register Document 47-8670, appearing on page 6359 of the issue for Thursday, September 25, 1947, amendatory paragraph 2 should read as follows:

2. By amending paragraph (b) to read as follows:

(b) *Delegation to the Director of the Office of Materials Distribution.* The Director of the Office of Materials Distribution is hereby authorized to perform the functions and exercise the powers, authorities and discretion now or hereafter vested in the Secretary of Commerce under section 203 of Part II of Executive Order No. 9841, in such man-

ner as he may prescribe, except actions taken pursuant to paragraph (c) of this section and except the following functions which have been transferred to the Director of the Division of Liquidation:

(1) Functions under section 124 of the Internal Revenue Code, as amended (tax amortization).

(2) Functions with respect to claims under the Contract Settlement Act of 1944 and claims under any other statute, based on actions of, or arising out of instructions or requests of, the War Production Board or any of its predecessor agencies.

(3) Functions with respect to claims relating to property requisitioned by the Chairman of the War Production Board or by any of his predecessors.

(4) Functions under the Renegotiation Act of 1943.

The authority hereby delegated to the director may be redelegated by him, subject to his direction and control, to such officers of the Department of Commerce, whether or not within the Office of Materials Distribution, as he may designate.

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter II—Corps of Engineers, War Department

#### PART 203—BRIDGE REGULATIONS

SAN JOAQUIN RIVER BELOW PARADISE DAM, BURNS CUT-OFF, MIDDLE RIVER, KING ISLAND CUT, HONKER CUT, AND LITTLE POTATO SLOUGH

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), the regulations governing the operation of the Southern Pacific Company railroad bridge, the State of California highway bridge, and the Western Pacific Railroad Company bridge across the San Joaquin River near Lathrop, California, are hereby modified, paragraph (b) and (b) (5) of § 203.710 prescribing rules and regulations governing the operation of drawbridges across navigable waterways of the United States within the State of California are amended to read as follows:

§ 203.710 *State of California: bridge regulations for all navigable waterways of the United States within California, including San Francisco Bay and connected bays and river systems tributary thereto.* \* \* \*

(b) *Special regulations.* The regulations contained in paragraph (a) shall apply generally, but to provide for distinctive signals given by vessels to particular bridges, as where two or more are within sight or hearing and but one bridge is desired to be opened, to provide for closed or open periods when land or water traffic predominates, and to provide for intermittent attendance of bridge tenders on bridges across streams where water traffic is minor, or at times nonexistent, the following special regulations are prescribed:

(5) *San Joaquin River below Paradise Dam, Burns Cut-off, Middle River, King*

*Island Cut, Honker Cut, and Little Potato Slough.*

*Stockton Port District railroad bridge and San Joaquin County highway bridge across San Joaquin River between Rough and Ready Island and Stockton.* Owners of vessels passing through these bridges are requested to notify the Director of the Port, Stockton (in the case of the railroad bridge), and the San Joaquin County Highway Department or County Surveyor, Stockton (in the case of the highway bridge), of the beginning and ending of the season of navigation for their vessels and of any contemplated trip of a vessel through the bridges, giving at least 12 hours' notice when practicable. When such notices are given, prompt opening of the draws upon proper signal will be insisted upon. Vessels making trips through these bridges without first notifying the Director of the Port, or the San Joaquin County Highway Department or County Surveyor, as stated, may be delayed at the bridges, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream sides of each bridge.

*Atchison, Topeka and Santa Fe Railway Company bridge across San Joaquin River.* Between 8:00 a. m. and 5:00 p. m. daily, except Sundays and national holidays, this bridge shall, upon proper signal, be opened promptly for the passage of any vessel or other watercraft not able to pass underneath.

Between 5:00 p. m. and 8:00 a. m. daily, and on Sundays and national holidays, prompt opening may be assured only by giving reasonable notice in advance to the Railway Company's agent at Stockton. When such notice including the time of intended passage is given, prompt opening of the bridge upon proper signal will be insisted upon. Vessels making trips through this bridge without prior notification, as stated, may be delayed at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream sides of the bridge.

*State of California Garwood Ferry Highway Bridge across San Joaquin River.* Owners of vessels passing through this bridge are requested to notify the Maintenance Superintendent, Division of Highways, at 1200 Wilson Way, Stockton, at least 12 hours in advance as received at his office of the time at which they desire to have the bridge opened. When such notices are given, prompt opening of the bridge upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the Maintenance Superintendent, as stated, may be delayed at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream sides of the bridge.



*San Joaquin County Brandt Highway Bridge (on the Roberts Island Road) across San Joaquin River.* Owners of vessels passing through this bridge are requested to notify the County Surveyor of San Joaquin County, Stockton, of the beginning and ending of the season of navigation for their vessels and of any contemplated trip of a vessel through the bridge, giving at least 12 hours' notice when practicable. When such notices are given, prompt opening of the draw upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the County Surveyor, as stated, may be delayed at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream sides of the bridge.

*Southern Pacific Company railroad bridge, State of California Mossdale Highway Bridge, and Western Pacific Railroad Company bridge across San Joaquin River near Lathrop.* The signal for opening at once all three of these bridges shall be three long blasts. The signal for opening any particular one of these bridges, and that bridge only, shall be as follows: For the Southern Pacific bridge, two long blasts followed by one short blast; for the highway bridge, two short blasts followed by one long blast; and for the Western Pacific bridge, one long blast followed by one short blast and one long blast.

Owners of vessels intending to pass these bridges going upstream shall notify the authorized representatives of the owners of the bridges of the time that openings are required, giving at least 24 hours' advance notice. The authorized representatives of the bridge owners for receipt of such notices are as follows: For the Southern Pacific Company, its Chief Dispatcher at Stockton; for the State of California, Division of Highways, its Highway Maintenance Superintendent at Stockton; and for the Western Pacific Railroad Company, its Chief Dispatcher at Sacramento. For all downstream passages through these bridges, the vessel owners shall notify the individual bridge tenders at the time the upstream passage is being made.

During sand dredging seasons, when in the opinion of the District Engineer, Corps of Engineers, the attendance of draw tenders is required between 8:30 a. m. and 4:30 p. m. from Monday to Saturday, inclusive, these bridges shall, upon proper signal, be opened promptly for the passage of all vessels unable to pass under the closed bridges. Prompt opening between 8:30 a. m. and 4:30 p. m., without advance notice, from Monday to Saturday, inclusive, will be directed by the District Engineer, Corps of Engineers, provided the operators of sand dredging barges give 15 days' written notice to him and at the same time furnish sufficient evidence that such openings without advance notice are needed for the contemplated traffic.

When notices are given, as stated, the draws of these bridges shall be opened promptly for the passage of a vessel upon proper signal. Vessels making trips

through these bridges without first notifying the proper parties of contemplated trips may be delayed at the bridges, but every reasonable means shall be used to expedite openings at all times. Each bridge owner shall keep conspicuously posted on both the downstream and upstream sides of its bridge a copy of these regulations, together with a notice stating how the representative specified above may be reached. The owners of these bridges shall keep the operating machinery of the draws in serviceable condition and shall have the draws opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation.

*San Joaquin County Lower (Jacobs Road) and Upper Highway Bridges across Burns Cut-off between Roberts Island and Rough and Ready Island.* Owners of vessels passing through these bridges are requested to notify the County Surveyor of San Joaquin County, Stockton, of the beginning and ending of the season of navigation for their vessels and of any contemplated trip of a vessel through the bridges, giving at least two days' notice when practicable. When such notices are given, prompt opening of the draws upon proper signal will be insisted upon. Vessels making trips through these bridges without first notifying the County Surveyor, as stated, may be delayed at the bridges, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream sides of each bridge.

*Atchison, Topeka and Santa Fe Railway Company bridge across Middle River.* The signal for opening this bridge shall be two long blasts followed by one short blast.

*State of California highway bridge across Middle River between Victoria Island and Drexler Tract.* Owners of vessels passing through this bridge are requested to notify the Maintenance Superintendent, Division of Highways, at 1200 Wilson Way, Stockton, at least 12 hours in advance as received at his office of the time at which they desire to have the bridge opened. When such notices are given, prompt opening of the bridge upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the Maintenance Superintendent, as stated, may be delayed at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream sides of the bridge.

*San Joaquin County highway bridge (Williams Bridge) across Middle River between Union Island and Roberts Island.* Owners of vessels passing through this bridge are requested to notify the County Surveyor of San Joaquin County, Stockton, of the beginning and ending of the season of navigation for their vessels and of any contemplated trip of a vessel through the bridge, giving at least two days' notice when practicable.

When such notices are given, prompt opening of the draw upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the County Surveyor, as stated, may be delayed at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream sides of the bridge.

*San Joaquin County highway bridge across King Island Cut between King Island and Bishop Tract.* Owners of vessels passing through this bridge are requested to notify the San Joaquin County Highway Department or County Surveyor, Stockton, of the beginning and ending of the season of navigation for their vessels and of any contemplated trip of a vessel through the bridge, giving at least 12 hours' notice when practicable. When such notices are given, prompt opening of the draw upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the San Joaquin County Highway Department or County Surveyor, as stated, may be delayed at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be reached shall be posted in a conspicuous place on both the downstream and upstream sides of the bridge.

*San Joaquin County highway bridge across Honker Cut between Empire Tract and King Island.* During the months of September, October, and November, and during such periods as crop movements may justify, or during periods when, in the opinion of the District Engineer, Corps of Engineers, an emergency exists which requires a draw tender in constant attendance, this bridge shall, upon proper signal, be opened promptly for the passage of vessels unable to pass under the closed bridge. In the event that the crop moving season is started earlier than September 1 or extended later than November 30, the period for prompt opening of the bridge upon the prescribed signal shall be adjusted accordingly, provided the operators of vessels navigating on this waterway give 15 days' written notice to the San Joaquin County Highway Department or County Surveyor, Stockton, that such adjustment is necessary to take care of the contemplated traffic.

During the periods not specified above, prompt opening of the bridge may be assured only after previously notifying the San Joaquin County Highway Department or County Surveyor of any contemplated trip through this bridge, giving at least 12 hours' notice when practicable. When previous notice including the time of the intended passage is given, prompt opening of the bridge upon proper signal will be insisted upon. Vessels making trips through this bridge without first notifying the bridge owners as provided above may be delayed at the bridge, but every reasonable means shall be used to expedite openings at all times. A sign giving instructions as to where and how the bridge operator can be



reached shall be posted in a conspicuous place on both the downstream and upstream sides of the bridge.

*State of California highway bridge across Little Potato Slough at Terminus.* Between 8:00 a. m. and 5:00 p. m. daily throughout the year, and between 5:00 p. m. and 8:00 a. m. daily from July 1 to October 31, inclusive, and during such periods as crop movements may justify, or during periods when, in the opinion of the District Engineer, Corps of Engineers, an emergency exists which requires a draw tender in constant attendance, this bridge shall, upon proper signal, be opened promptly for the passage of vessels unable to pass under the closed bridge. The period for prompt opening between 5:00 p. m. and 8:00 a. m. shall be started earlier than July 1 or extended later than October 31, provided the operators of vessels navigating on this stream give 15 days' written notice to the Engineer, Division of Highways, Stockton, that such prompt opening is needed by contemplated traffic.

Between 5:00 p. m. and 8:00 a. m. daily during the periods not specified above, prompt opening may be assured only after previously notifying the bridge tender at this bridge verbally, or by mail at Terminus, or by telephone through the Lodi Exchange, in advance of the time of such requested opening. When previous notice, including the time of intended passage is given, prompt opening of the bridge upon proper signal will be insisted upon. Vessels making trips through this bridge without prior notification as above, may be delayed not to exceed 20 minutes after signal for opening is given.

[Regs. Sept. 3, 1947, CE 823.01, San Joaquin River, Calif.—ENGWR] (Sec. 5 28 Stat. 362, as amended; 33 U. S. C. 499)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 47-8785; Filed, Sept. 29, 1947; 8:46 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Land Management, Department of the Interior

#### Appendix—Public Land Orders

[Public Land Order 412]

#### ALASKA

AMENDING PUBLIC LAND ORDER NO. 386 SO AS TO GRANT A PREFERENCE RIGHT OF SETTLEMENT ON UNSURVEYED PUBLIC LANDS TO CERTAIN QUALIFIED VETERANS OF WORLD WAR II

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 386 of July 31, 1947, is amended so as to provide that (1) any of the unsurveyed public lands in Alaska which are restored from withdrawal by that order shall at 10:00 a. m. on October 2, 1947, be opened to settle-

ment under the homestead laws only, and to that form of appropriation only by qualified veterans of World War II for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), as amended, subject to the requirements of the homestead laws, and (2) commencing at 10:00 a. m. on February 2, 1948, any of such lands not settled upon by veterans shall become subject to settlement and other forms of appropriation by the public generally in accordance with the appropriate laws and regulations.

OSCAR L. CHAPMAN,  
Under Secretary of the Interior.

SEPTEMBER 26, 1947.

[F. R. Doc. 47-8885; Filed, Sept. 29, 1947; 10:47 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter II—Office of Defense Transportation

#### PART 500—CONSERVATION OF RAIL EQUIPMENT

##### SHIPMENTS OF DRESSED POULTRY AND SUMMER APPLES

CROSS REFERENCE: For exceptions to the provisions of § 500.72 see Part 520 of this chapter, *infra*.

[Gen. Permit ODT 18A, Rev. 19B]

#### PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

##### SHIPMENTS OF SUMMER APPLES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, and General Order ODT 18A, Revised, as amended, General Permit ODT 18A, Revised-19A shall be superseded and it is hereby ordered, That:

§ 520.517 *Shipments of summer apples.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829, 10616, 13320, 14172; 12 F. R. 1034, 2386), or Item 155 of Special Direction ODT 18A-2A, as amended (9 F. R. 118, 4247, 13008; 10 F. R. 2523, 3470, 14906; 11 F. R. 1358, 13793, 14114), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of summer apples when the origin of any such freight is any point or place in the States of Virginia, Illinois, Indiana, Missouri or New York and the quantity loaded as bulk freight in such car is not less than 29,000 pounds.

This General Permit ODT 18A, Revised-19B, shall become effective September 29, 1947, and shall expire November 30, 1947.

General Permit ODT 18A, Revised-19A (12 F. R. 5395), is hereby revoked

as of the effective day of this General Permit ODT 18A, Revised-19B.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, Pub. Law 188, 80th Cong.; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 26th day of September 1947.

HOMER C. KING,  
Deputy Director,

Office of Defense Transportation.

[F. R. Doc. 47-8863; Filed, Sept. 29, 1947; 8:48 a. m.]

[Gen. Permit ODT 18A, Rev. 26A]

#### PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

##### SHIPMENTS OF DRESSED POULTRY

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, and General Order ODT 18A, Revised, as amended, it is hereby ordered, That:

§ 520.526 *Shipments of dressed poultry.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829, 10616, 13320, 14172; 12 F. R. 1034, 2386), or Items 70 and 130 of Special Direction ODT 18A-2A, as amended (9 F. R. 118, 4247, 13008; 10 F. R. 2523, 3470, 14906; 11 F. R. 1358, 13793, 14114), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of dressed poultry, whether fresh, chilled or frozen, when:

(a) The origin point is in the State of Illinois, or in any State located west of a line consisting of the eastern boundary of the State of Minnesota to its junction with the Mississippi River, thence south to New Orleans, Louisiana; and

(b) Such freight is loaded to a weight of not less than 28,000 pounds in a refrigerator car containing 1900 cubic feet or more of freight loading space; or

(c) Such freight is loaded to a weight of not less than 24,000 pounds in a refrigerator car containing less than 1900 cubic feet of freight loading space.

This General Permit ODT 18A, Revised-26A, shall become effective October 1, 1947, and shall expire January 31, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, Pub. Law 188, 80th Cong.; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 26th day of September 1947.

HOMER C. KING,  
Deputy Director,

Office of Defense Transportation.

[F. R. Doc. 47-8862; Filed, Sept. 29, 1947; 8:48 a. m.]



## PROPOSED RULE MAKING

### DEPARTMENT OF JUSTICE Immigration and Naturalization Service

#### [8 CFR, Part 110]

#### DESIGNATION OF SKY HARBOR SEAPLANE BASE, DULUTH, MINN., AS TEMPORARY AIRPORT OF ENTRY FOR ALIENS

#### NOTICE OF PROPOSED RULE MAKING

SEPTEMBER 23, 1947.

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., Sup., 1003), notice is hereby given of the proposed issuance by the Attorney General of the following rule relating to the designation of the Sky Harbor Seaplane Base, Duluth, Minnesota, as a temporary airport of entry for aliens. In accordance with subsection (b) of the said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 1806, Franklin Trust Building, Philadelphia 2, Pennsylvania, written data, views, or arguments relative to this proposed action. Such representations may not be presented orally in any manner. All relevant material received within 20 days following the day of publication of this notice will be considered.

Paragraph (b) of § 110.3, *Airports of entry*, Chapter I, Title 8, Code of Federal

Regulations is amended by inserting "Duluth, Minn., Sky Harbor Seaplane Base" between "Cut Bank, Mont., Cut Bank Airport" and "Fort Yukon, Alaska, Fort Yukon Airfield" in the list of temporary airports of entry for aliens.

(Sec. 7 (d), 44 Stat. 572, sec. 1, 54 Stat. 1238; 49 U. S. C. 177 (d), 5 U. S. C. 133t)

TOM C. CLARK,  
*Attorney General.*

Recommended: September 9, 1947.

T. B. SHOEMAKER,  
*Acting Commissioner of Immigration and Naturalization.*

[F. R. Doc. 47-8810; Filed, Sept. 29, 1947; 8:56 a. m.]

#### [8 CFR, Part 110]

#### DESIGNATION OF C. A. A. FIELD, JUNEAU, ALASKA, AS TEMPORARY AIRPORT OF EN- TRY FOR ALIENS

#### NOTICE OF PROPOSED RULE MAKING

SEPTEMBER 23, 1947.

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., Sup., 1003), notice is hereby given of the proposed issuance by the Attorney General of the following rule relating to the designation of the C. A. A.

Field, Juneau, Alaska, as a temporary airport of entry for aliens. In accordance with subsection (b) of the said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 1806, Franklin Trust Building, Philadelphia 2, Pennsylvania, written data, views, or arguments relative to this proposed action. Such representations may not be presented orally in any manner. All relevant material received within 20 days following the day of publication of this notice will be considered.

Paragraph (b) of § 110.3, *Airports of entry*, Chapter I, Title 8, Code of Federal Regulations is amended by inserting "Juneau, Alaska, C. A. A. Field" between "International Falls, Minn., International Falls Municipal Airport" and "Laredo, Tex., Laredo Municipal Airport" in the list of temporary airports of entry for aliens.

(Sec. 7 (d), 44 Stat. 572, sec. 1, 54 Stat. 1238; 49 U. S. C. 177 (d), 5 U. S. C. 133t)

TOM C. CLARK,  
*Attorney General.*

Recommended: September 9, 1947.

T. B. SHOEMAKER,  
*Acting Commissioner of Immigration and Naturalization.*

[F. R. Doc. 47-8811; Filed, Sept. 29, 1947; 8:56 a. m.]

## NOTICES

### DEPARTMENT OF THE TREASURY

#### United States Coast Guard

[CGFR 47-48]

#### APPROVAL OF EQUIPMENT; TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405 and 4491, as amended (46 U. S. C. 375, 489), and section 101 of the Reorganization Plan No. 3 of 1946 (11 F. R. 7875), the following approvals of equipment and termination of approval of equipment are prescribed:

#### LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE)

Approval No. 160.002/32/0, Model 2, adult kapok life preserver, U. S. C. G. Specification 160.002, former Approval No. B-371, manufactured by Fairfield Textile Works, Fairfield, Calif.

#### BUOYANT APPARATUS

Approval No. 160.010/13/0, Buoyant apparatus, 5' 2" x 2' 8" elliptical shape, 0' 7" diameter section, hollow aluminum, flush net platform, 5-person capacity, Dwg. No. 3135, dated 30 September 1946, Alt. 4 February 1947, manufactured by Welin Davit & Boat Division, of the Robinson Foundation, Inc., Perth Amboy, N. J.

#### COMPASSES, LIFEBOAT

Approval No. 160.014/7/0, Model 34-1000, compensating mariners liquid filled magnetic lifeboat compass with mounting, assembly Dwg. No. 34-1000, dated 22 January 1946, manufactured by Kenyon Instrument Co., Inc., 1345 New York Avenue, Huntington Station, Long Island, N. Y.

#### CONTAINERS, EMERGENCY PROVISIONS AND WATER

Approval No. 160.026/8/0, Lifetime brand, container for emergency drinking water, Dwg. dated 3 June 1947, submitted by The Multiple Breaker Co., 82 Commercial Wharf, Boston 10, Mass.

#### LIFEBOATS

Approval No. 160.035/169/0, 26' x 9' x 3.83' aluminum motor-propelled lifeboat with radio cabin, 43-person capacity, identified by construction and arrangement Dwg. No. 3167, dated 20 June 1947, rev. 4 September 1947, manufactured by the Welin Davit and Boat Division, of the Robinson Foundation, Inc., Perth Amboy, N. J.

#### FIRE EXTINGUISHERS, HAND, PORTABLE, FOAM TYPE

Approval No. 162.006/10/0, Badger, 2½ gal. foam hand portable fire extinguisher,

assembly Dwg. Nos. BD 1895, dated 19 June 1947, and SK 1053A, dated 26 March 1946, name plate Dwg. No. BD 1922, dated 27 August 1947, manufactured by the Badger Fire Extinguisher Co., 626 Somerville Avenue, Somerville 43, Mass.

#### FIRE EXTINGUISHERS, HAND, PORTABLE, SODA-ACID TYPE

Approval No. 162.007/24/0, Badger's Pony, 1¼ gal. soda-acid hand portable fire extinguisher, assembly Dwg. No. SK 284, dated 1 May 1924, name plate Dwg. No. SK 258, dated 1 May 1924, rev. 27 August 1947, manufactured by the Badger Fire Extinguisher Co., 626 Somerville Avenue, Somerville 43, Mass.

Approval No. 162.007/25/0, Badger's, 2½ gal. soda-acid hand portable fire extinguisher, assembly Dwg. Nos. BD 1889, dated 25 March 1947, and SK 1034, dated 23 May 1932, rev. 9 March 1937, name plate Dwg. No. BD 1921, dated 26 August 1947, manufactured by the Badger Fire Extinguisher Co., 626 Somerville Avenue, Somerville 43, Mass.

#### DECK COVERING

Approval No. 164.006/3/1, Asbestolith magnesite type deck covering identical to that described in National Bureau of Standards Test Report No. TG-3610-1214; FR 1778 dated 2 July 1940, approved



for use without other insulating material as meeting Class A-60 requirements in a 1½-inch thickness, manufactured by Asbestolith Manufacturing Corporation, 257 Kent Street, Brooklyn, N. Y. (This approval modifies and, therefore, supercedes Approval No. 164.006/3/0, published in FEDERAL REGISTER 31 July 1947.)

**TERMINATION OF APPROVAL OF LADDERS, EMBARKATION-DEBARKATION**

The following approval is terminated because the item is no longer being manufactured:

Termination of Approval No. 160.017/3/0, Model 141 embarkation-debarkation ladder, chain suspension, wood ears, Dwg. No. 141, dated 21 July 1943, manufactured by American Chain Ladder Co., Inc., 151 East 50th Street, New York 22, N. Y. (Approval published in FEDERAL REGISTER 31 July 1947, 12 F. R. 5201.)

**CONDITIONS OF APPROVALS AND TERMINATION OF APPROVAL**

The above approvals of equipment shall be effective for a period of five years from date of publication in the FEDERAL REGISTER unless sooner canceled or suspended by proper authority.

The termination of approval made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval on any item of equipment, such equipment manufactured before the effective date of termination of approval may be used so long as it is in good and serviceable condition.

Dated: September 25, 1947.

[SEAL] J. F. FARLEY,  
Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 47-8804; Filed, Sept. 29, 1947;  
8:55 a. m.]

**CIVIL AERONAUTICS BOARD**

[Docket No. SA-150]

**ACCIDENT AT BURBANK, CALIF.**

**NOTICE OF HEARING**

In the matter of investigation of accident involving aircraft of United States Registry NC 59495 which occurred at Burbank, California, on September 17, 1947.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Wednesday, October 1, 1947, at 9:00 a. m. (P. s. t.) in Room 4, Post Office Building, Santa Monica, California.

Dated at Washington, D. C., September 24, 1947.

[SEAL] RUSSELL A. POTTER,  
Presiding Officer.

[F. R. Doc. 47-8790; Filed, Sept. 29, 1947;  
8:46 a. m.]

No. 191—3

**FEDERAL COMMUNICATIONS COMMISSION**

[Docket No. 8157]

PRYOR DILLARD

**ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES**

In re application of Pryor Dillard, Raymondville, Texas, Docket No. 8157, File No. BP-5468, for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of September 1947;

The Commission having under consideration the above-entitled application for a new standard broadcast station to operate on the frequency 1380 kc, with 250 w power, unlimited time at Raymondville, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with station KBWD, Brownwood, Texas, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, particularly with respect to the assignment of Class IV stations to regional channels.

7. To determine whether the operation of the proposed station would involve objectionable interference with Stations XEMX and XERK, both of Mexico, or any other existing foreign broadcast station as defined in the North American Regional Broadcasting Agreement, and the nature and extent of such interference, if any.

It is further ordered, That Brown County Broadcasting Company, licensee of Station KBWD, be, and it is hereby, made a party to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-8806; Filed, Sept. 29, 1947;  
8:55 a. m.]

[Docket No. 8518]

**WESTERN WASHINGTON BROADCASTING CO.**

**ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES**

In re application of F. L. Thornhill and D. R. Johnson, a partnership d/b as Western Washington Broadcasting Company, Puyallup, Washington, File No. BP-5802, Docket No. 8518, for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 19th day of September 1947;

The Commission having under consideration the above-entitled application for a new standard broadcast station to operate on the frequency 630 kc, with 250 w power, daytime only at Puyallup, Washington;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application be, and it is hereby, designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, particu-



larly with respect to the assignment of Class IV stations to regional channels.

7. To determine the overlap, if any, that will exist between the service areas of the proposed station and of station KRKL at Kirkland, Washington, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-8805; Filed, Sept. 29, 1947;  
8:55 a. m.]

#### KRDO, COLORADO SPRINGS, COLO.<sup>1</sup>

##### PUBLIC NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE

The Commission hereby gives notice that on July 17, 1947 there was filed with it an application (BAL-629) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of KRDO, Colorado Springs, Colorado from Pikes Peak Broadcasting Company, a co-partnership consisting of Joseph H. Rohrer and Edythe G. Sweeney, to Pikes Peak Broadcasting Company (a Colorado corporation), 118 North Cascade Avenue, Colorado Springs, Colorado. The proposal to assign the license arises out of a contract of May 1, 1947 pursuant to which the station properties and equipment would be sold for a total consideration of \$38,000. Of this amount \$12,500 is to be paid to Edythe G. Sweeney. The balance of \$25,500 is to be given to Joseph H. Rohrer in the form of 255 shares of fully paid nonassessable stock of the assignee corporation. The remaining stockholders of assignee together with their holdings are shown in the application, which also contains further information and details concerning the transaction. The papers are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on September 9, 1947 that starting on August 12, 1947 notice of the filing of the application would be inserted in the "Free Press", a newspaper of general circulation at Colorado Springs, Colorado, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application until after October 29, 1947 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-8807; Filed, Sept. 29, 1947;  
8:55 a. m.]

<sup>1</sup> Section 1.321, Part 1, Rules of Practice and Procedure.

## FEDERAL TRADE COMMISSION

[Docket No. 5492]

ENGLISHTOWN CUTLERY, LTD., INC., ET AL.

### ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of September A. D. 1947.

In the matter of Englishtown Cutlery, Ltd., (Inc.), a corporation, and Norman J. Mercer, Joseph Berger, and Edward W. Ginsburg, individually and as officers of Englishtown Cutlery, Ltd. (Inc.).

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That Clyde M. Hadley, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony and the receipt of evidence begin on Tuesday, October 14, 1947, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon the completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondents. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 47-8791; Filed, Sept. 29, 1947;  
8:52 a. m.]

[Docket No. 5431]

RICHARD COLGIN CO., INC., ET AL.

### ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of September A. D. 1947.

In the matter of Richard Colgin Company, Inc., a corporation, and Richard E. Colgin, an individual, doing business under the trade names and styles of Richard Colgin Company, and Dixie Smoke Products Co., and as an officer of Richard Colgin Company, Inc. and Hardy-Colgin Company, a corporation.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That Earl J. Kolb, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony and the receipt of evidence begin on Monday, October 6, 1947, at two o'clock in the afternoon of that day (central standard time), in Grand Jury Room 301, United States Post Office and Court House, Dallas, Texas.

Upon the completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondents. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 47-8792; Filed, Sept. 29, 1947;  
8:52 a. m.]

[Docket No. 5493]

JACKSON RESEARCH LABORATORIES

### ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of September A. D. 1947.

In the matter of Walter B. Jackson, an individual, trading as Jackson Research Laboratories.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

*It is ordered*, That Earl J. Kolb, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony and the receipt of evidence begin on Monday, October 13, 1947, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 302, Federal Office Building, Corner Fannin and Franklin Streets, Houston, Texas.

Upon the completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to



proceed immediately to take testimony and receive evidence on behalf of the respondent. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 47-8793; Filed, Sept. 29, 1947;  
8:52 a. m.]

[Docket No. 5439]

F. W. FITCH CO. AND F. W. FITCH MFG. CO.

ORDER APPOINTING TRIAL EXAMINER AND  
FIXING TIME AND PLACE FOR TAKING TESTI-  
MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of September A. D. 1947.

In the matter of F. W. Fitch Company, a corporation, and F. W. Fitch Manufacturing Company, a corporation.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John P. Bramhall, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Monday, October 6, 1947, at ten o'clock in the forenoon of that day (central standard time), in Room 319, Federal Office Building, Fifth and Court, Des Moines, Iowa.

Upon the completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondents. The Trial Examiner will close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 47-8794; Filed, Sept. 29, 1947;  
8:52 a. m.]

## INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 294]

RECONSIGNMENT OF CAR PFE 44328 AT  
KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo., Sept. 23, 1947, by Cochrane Brokerage Co., of car PFE 44328, now on the Union Pacific RR., Kansas City, Mo., to Schuler Fruit Co., Oklahoma City, Okla., Rock Island RR.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1947.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 47-8797; Filed, Sept. 29, 1947;  
8:54 a. m.]

[S. O. 769, Cancellation of General Permit 1]

### SHIPMENTS OF FURNITURE

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 of September 8, 1947, (12 F. R. 6088):

General Permit No. 1 (12 F. R. 6350), under Service Order No. 769 is hereby canceled, effective 12:01 a. m., September 24, 1947.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1947.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 47-8798; Filed, Sept. 29, 1947;  
8:54 a. m.]

[S. O. 769, Cancellation of Special Permit 1]  
SHIPMENTS OF LUMBER FROM BUCODA,  
WASH.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6088):

Special Permit No. 1 (12 F. R. 6309) under Service Order No. 769 is hereby cancelled effective 12:01 a. m., September 24, 1947.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1947.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 47-8799; Filed, Sept. 29, 1947;  
8:54 a. m.]

[S. O. 769, Cancellation of Special Permit 3]

SHIPMENT OF LUMBER FROM GALVIN AND  
TACOMA, WASH.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6088):

Special Permit No. 3 (12 F. R. 6342) under Service Order No. 769 is hereby canceled effective 12:01 a. m., September 24, 1947.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1947.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 47-8800; Filed, Sept. 29, 1947;  
8:54 a. m.]

[S. O. 769, Cancellation of Special Permit 4]

SHIPMENT OF LUMBER FROM TACOMA,  
WASH.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6088):

Special Permit No. 4 (12 F. R. 6342) under Service Order No. 769 is hereby cancelled effective 12:01 a. m., September 24, 1947.



A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1947.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 47-8801; Filed, Sept. 29, 1947;  
8:55 a. m.]

[S. O. 769, Cancellation of Special Permit 6]

SHIPMENT OF LUMBER FROM OLYMPIA AND SEATTLE, WASH. AND GRESHAM, OREG.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6088):

Special Permit No. 6 (12 F. R. 6395) under Service Order No. 769 is hereby cancelled effective 12:01 a. m., September 24, 1947.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1947.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 47-8802; Filed, Sept. 29, 1947;  
8:55 a. m.]

[S. O. 769, Cancellation of Special Permit 8]

SHIPMENT OF LUMBER AND SHINGLES FROM TACOMA, WASH.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6088):

Special Permit No. 8 (12 F. R. 6395) under Service Order No. 769 is hereby cancelled effective 12:01 a. m., September 24, 1947.

A copy of this revocation has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this revocation shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by

filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of September 1947.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 47-8803; Filed, Sept. 29, 1947;  
8:55 a. m.]

[S. O. 773]

UNLOADING OF COAL AT MOBILE, ALA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of September A. D. 1947.

It appearing, that 23 cars containing coal at Mobile, Alabama, on the Terminal Railway, Alabama State Docks, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, That:

(a) *Coal at Mobile, Alabama, be unloaded.* The Terminal Railway, Alabama State Docks, its agents or employees, shall unload immediately IC 81350 and 8 other cars arriving August 5th to 16th, 1947, containing coal, consigned to Seneca Coal & Iron Company, c/o Bay City Fuel Company; L&N 60446 and 13 other cars arriving August 11th to 20th, containing coal consigned to Bay City Fuel Company.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., September 27, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice of expiration.* Said carrier shall notify Homer C. King, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

(Secs. 1, 15, 24 Stat. 379, 384, as amended, 40 Stat. 101, sec. 402, 41 Stat. 476, secs. 4, 10, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the

office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-8796; Filed, Sept. 29, 1947;  
8:53 a. m.]

NATIONAL HOUSING AGENCY

Federal Housing Administration

2½ PERCENT WAR HOUSING INSURANCE FUND DEBENTURES, SERIES H

NOTICE OF SECOND CALL FOR PARTIAL REDEMPTION, BEFORE MATURITY

SEPTEMBER 15, 1947.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1946; U. S. C., Title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2½ percent War Housing Insurance Fund Debentures, Series H, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on January 1, 1948, on which date interest on such debentures shall cease:

2½ PERCENT WAR HOUSING INSURANCE FUND DEBENTURES, SERIES H

Denomination	Serial Nos. (all numbers incl.)
\$50	508 to 534
\$100	1,850 to 2,104
\$500	609 to 629
\$1,000	2,631 to 2,966
\$5,000	54 to 56
\$10,000	149 to 1,073

The debentures first issued as determined by the serial numbers were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on and after October 1, 1947. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after October 1, 1947, and provision will be made for the payment of final interest due on January 1, 1948, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from October 1, 1947 to December 31, 1947, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after January 1, 1948, or for purchase prior to that date will be given by the Secretary of the Treasury.

FRANKLIN D. RICHARDS,  
Commissioner.

Approved: September 18, 1947.

A. L. M. WIGGINS,  
Acting Secretary of the Treasury.

[F. R. Doc. 47-8734; Filed, Sept. 29, 1947;  
8:50 a. m.]



# SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1582]

DUQUESNE LIGHT CO. AND ALLEGHENY COUNTY STEAM HEATING CO.

## SUPPLEMENTAL ORDER RELEASING JURISDICTION WITH RESPECT TO COMPETITIVE BIDDING AND GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 23d day of September 1947.

Duquesne Light Company, a public utility company and its nonutility subsidiary, Allegheny County Steam Heating Company, both being subsidiaries of Philadelphia Company, Standard Gas and Electric Company and Standard Power and Light Corporation, all registered holding companies, having filed a joint application-declaration and amendments thereto pursuant to sections 6, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-50 promulgated thereunder regarding, among other things, the issuance and sale by Duquesne Light Company at competitive bidding of \$75,000,000 principal amount of ----% First Mortgage Bonds, Series due August 1, 1947; and

The Commission, by order dated September 12, 1947, having granted and permitted to become effective said application-declaration, as amended, subject to the condition, among others, that the proposed issuance and sale of said Bonds not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record herein and a further order shall have been entered by the Commission in the light of the record so completed; and

Duquesne Light Company having filed a further amendment setting forth the action taken to comply with the requirements of Rule U-50 and stating that pursuant to its invitation for competitive bids, the following bids were received:

Underwriting group headed by—	Coupon rate	Price to company <sup>1</sup>	Annual cost to company
	Percent	Percent	Percent
The First Boston Corp.-----	2 3/4	100.7699	2.71233
Kuhn, Loeb & Co.-----	2 3/4	100.5600	2.72256
Smith, Barney & Co.-----	2 3/4	100.5297	2.72405
Halsey, Stuart & Co., Inc.-----	2 3/4	100.5297	2.72405

<sup>1</sup> Plus accrued interest.

It being further stated in said amendment that Duquesne Light Company has accepted the bid of the group headed by The First Boston Corporation and that the purchasers propose to offer said Bonds for sale to the public at 101.2290% of the principal amount thereof plus accrued interest, resulting in an underwriting spread of 0.4591% of the principal amount of said Bonds; and

The Commission having considered the record as so completed by said amendment and finding that the applicable standards of said act and the rules and

regulations promulgated thereunder have been satisfied, and finding no basis for imposing terms and conditions with respect to the price to be paid for said Bonds or the underwriters' spread and the allocation thereof:

It is ordered, Subject to the terms and conditions prescribed by Rule U-24, that the jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding pursuant to Rule U-50 be, and it hereby is, released and that said application-declaration, as amended, be, and it hereby is, granted and permitted to become effective forthwith, subject, however, to the reservations of jurisdiction prescribed in the Commission's order of September 12, 1947.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-9789; Filed, Sept. 29, 1947;  
8:46 a. m.]

[File No. 70-1618]

CENTRAL MAINE POWER CO.

## NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 23d day of September A. D. 1947.

Notice is hereby given that Central Maine Power Company ("Central Maine"), a public utility subsidiary of New England Public Service Company, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935. Applicant has designated sections 9 (a) and 10 of the act as being applicable to the proposed transactions.

All interested persons are referred to said application which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Central Maine proposes to purchase from the following owners all of the issued and outstanding capital stock of The Union Water-Power Company, consisting of 6,470 shares of common stock with a par value of \$100 per share, for a cash consideration of \$653,470, or \$101 per share:

Owner	Shares	Percent of ownership
Androscoggin Mills.-----	1,909	29.5
Bates Manufacturing Co.-----	1,909	29.5
Hill Manufacturing Co.-----	1,589	24.6
Pepperell Manufacturing Co.-----	443	6.8
Continental Mills.-----	620	9.6

Central Maine also proposes to acquire indirectly 2,500 shares (25%) of the outstanding capital stock of Androscoggin Reservoir Company, owned by The Union Water-Power Company.

The Union Water-Power Company owns and operates dams and water rights on and adjacent to the Androscoggin River and its tributaries in the States of Maine and New Hampshire. The

Androscoggin Reservoir Company owns water storage facilities on the headwaters of the Magalloway River, a tributary of the Androscoggin River.

It is stated in the application that the complete ownership by the company of The Union Water-Power Company, with its participation in the ownership and control of the storage on the Magalloway River, will place in the hands of the company, subject to contract, lease and other riparian rights, the control of the river to assure a maximum use of the water for generating purposes, and will also place within the hands of the company the right to maintain adequately the storage dams to the end that the same may at all times efficiently store and hold the water of the river.

Applicant states that no state commission or other Federal commission has jurisdiction over the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors or consumers that a hearing be held with respect to the matters set forth in said application and that the application shall not be granted except pursuant to further order of this Commission:

It is ordered, That a hearing on the application, pursuant to the applicable provisions of the act and the rules and regulations thereunder, be held on October 8, 1947 at 10:00 a. m., e. s. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of this Commission, on or before October 6, 1947, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Willis E. Monty, or any other officer or officers of this Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the application and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters or questions upon further examination:

(1) Whether the proposed acquisition meets the standards of sections 10 (b) and 10 (c) of the act.

(2) Whether the consideration to be paid by Central Maine for the stock of The Union Water-Power Company is reasonable.

(3) Whether the accounting entries to be made by Central Maine in connection with the proposed transactions are proper and in accordance with sound accounting practices.



(4) What terms and conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors and consumers.

*It is further ordered*, That particular attention be directed at said hearing to the foregoing matters and questions.

*It is further ordered*, That the Secretary of the Commission shall serve a copy of this order by registered mail on the applicant herein, and the Federal Power Commission; and that notice of said hearing shall be given to all other persons by publication of this notice and order in the *FEDERAL REGISTER*, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-8788; Filed, Sept. 29, 1947;  
8:46 a. m.]

[File No. 70-1621]

ALABAMA POWER CO.

#### ORDER EFFECTING SALE OF TRANSPORTATION PROPERTIES

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 22d day of September 1947.

Alabama Power Company ("Alabama Power"), a public utility company and a subsidiary of The Southern Company, a registered holding company and in turn a subsidiary of The Commonwealth & Southern Corporation ("Commonwealth"), also a registered holding company, having entered into an agreement to sell to Marc Ray Clement of Tuscaloosa, Alabama, all of its transportation properties, comprising the bus transportation system and properties serving the City of Tuscaloosa, Alabama, and vicinity, for \$206,100 cash plus the cost per books of all additions and betterments between May 1, 1947 and the date of transfer; and

Alabama Power having requested that the Commission enter an appropriate order to conform to the requirements of section 371 (f) of the Internal Revenue Code, as amended, which provides in substance for special tax consequences for sales and transfers made pursuant to orders of this Commission reciting that such sales and transfers are necessary and appropriate to the effectuation of the provisions of section 11 (b) of the act; and

It appearing that this Commission by order dated August 1, 1947 under section 11 (b) (1) of the Public Utility Holding Company Act of 1935 (Holding Company Act Release No. 7615) required, among other things, that Commonwealth and The Southern Company shall cease to own, operate, control, or have any interest, direct or indirect, in the transportation properties of Alabama Power; and

The Commission deeming the sale to be a step in compliance with the aforementioned order under section 11 (b) (1) and necessary or appropriate to effectuate the provisions of section 11 (b) of said act and deeming it appropriate to grant the request of Alabama Power as to the entry of said order:

*It is hereby ordered*, That the aforesaid sale by Alabama Power of all of its transportation properties, comprising the bus transportation system and properties serving the City of Tuscaloosa, Alabama, and vicinity, as set forth in the request filed by Alabama Power, be effected as a step in compliance with this Commission's order of August 1, 1947 under section 11 (b) (1) (Holding Company Act Release No. 7615) and as necessary or appropriate to effectuate the provisions of section 11 (b) of said act; and

*It is further ordered and recited*, That the sale by Alabama Power of its bus transportation system and properties serving the City of Tuscaloosa and vicinity, pursuant to agreement dated August 29, 1947, between the company and Marc Ray Clement, comprising the following:

(a) 31 motor buses, fare boxes and miscellaneous equipment owned as of May 1, 1947, listed in Exhibit 1 to said agreement;

(b) Franchise granted to the company, its successors and assigns, by Commission Board of Tuscaloosa on May 14, 1941 and amended on August 10, 1943 and July 8, 1946;

(c) Franchise granted to the company, its successors and assigns by the City of Northport on June 16, 1941, and amended July 1, 1946; and

(d) All additions and betterments to the property set forth in Exhibit 1 to said agreement since May 1, 1947, is necessary or appropriate to the integration or simplification of the holding company system of which Alabama Power is a member and necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-8787; Filed, Sept. 29, 1947;  
8:46 a. m.]

#### DEPARTMENT OF JUSTICE

##### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9173, Amdt.]

##### KANEMITSU SUDZUKI

In re: Stock, bank account and cash owned by Kanemitsu Sudzuki.

Vesting Order 9173, dated May 29, 1947, is hereby amended as follows and not otherwise:

By deleting from paragraph 2 (b) of said Vesting Order-9173, the certificate

number MC 547896 set forth with respect to common capital stock of General Motors Corporation, 1775 Broadway, New York 19, New York, and substituting therefor certificate number C 547896.

All other provisions of said Vesting Order 9173 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on September 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-8824; Filed, Sept. 29, 1947;  
8:48 a. m.]

[Vesting Order 9232, Amdt.]

##### UN ITOW

In re: Stock owned by Un Itow.

Vesting Order 9232, dated June 23, 1947, is hereby amended as follows and not otherwise:

By deleting from subparagraph 2 of said Vesting Order 9232, the certificate number A47711 set forth with respect to capital stock of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, and substituting therefor certificate number A49711.

All other provisions of said Vesting Order 9232 and all action taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on September 4, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-8825; Filed, Sept. 29, 1947;  
8:48 a. m.]

[Vesting Order 9746]

##### ALBERT SCHWEISSHELM

In re: Stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Albert Schweiss-helm, deceased. F-28-3869-D-1/3.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Albert Schweiss-helm, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows:



a. Ten (10) shares of no par value capital stock of Texas Gulf Sulphur Company, 75 East 45th Street, New York, New York, a corporation organized under the laws of the State of Texas, evidenced by certificate number 154592, registered in the name of Albert Schweissheim, together with all declared and unpaid dividends thereon,

b. Ten (10) shares of no par value \$7 cumulative preferred capital stock of Electric Power & Light Corporation, 2 Rector Street, New York, New York, a corporation organized under the laws of the State of Maine, evidenced by certificate number 028473, registered in the name of Albert Schweissheim, together with all declared and unpaid dividends thereon, and

c. Eight (8) shares of no par value \$6 series first preferred capital stock of American Water Works & Electric Company, Incorporated, 50 Broad Street, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate number P010194, registered in the name of Albert Schweissheim, together with all declared and unpaid dividends thereon, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-8816; Filed, Sept. 29, 1947;  
8:46 a. m.]

[Vesting Order 9782]

JOHN GEORGE EICHHORN

In re: Estate of John George Eichhorn, deceased. File D-28-11533; E. T. sec. 15729.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Eichhorn and George Eichhorn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of \$180.44 was paid to the Attorney General of the United States by Andrew J. Marx, Executor of the Estate of John George Eichhorn, deceased;

3. That the said sum of \$180.44 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Attorney General of the United States by acceptance thereof on June 5, 1947, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 12, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-8817; Filed, Sept. 29, 1947;  
8:47 a. m.]

[Vesting Order 9783]

ALBERT H. FRESINIUS

In re: Estate of Albert H. Fresenius, deceased. File No. D-28-10871; E. T. sec. 15284.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Helene Fink, Hedwig Fritz, Otto Fink, Roland Fink, and Lothar Fink,

whose last known address is Germany, are residents of Germany and nationals of a designated enemy country, (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Albert H. Fresenius, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country, (Germany);

3. That such property is in the process of administration by The Westport Bank and Trust Company, as administrator, acting under the judicial supervision of the Court of Probate of the District of Westport, State of Connecticut;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 12, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-8818; Filed, Sept. 29, 1947;  
8:47 a. m.]

[Vesting Order 9784]

CHRISTINE P. GRASS

In re: Estate of Christine P. Grass, deceased. File D-28-11825; E. T. sec. 16017.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Adeline (Lena) Andersen nee Christiansen, and Julius Christiansen also known as Julius Christianson, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Christine P. Grass, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);



3. That such property is in the process of administration by Albert F. Johnson, as Administrator, acting under the judicial supervision of the Probate Court of Montcalm County, Michigan;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 12, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-8819; Filed, Sept. 29, 1947;  
8:47 a. m.]

[Vesting Order 9785]

HANS GROTH

In re: Estate of Hans Groth, deceased. D-28-11757; E. T. sec. 15970.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Thomas Heinrich Puls, Claus Ferdinand Puls, Kate Lorenzen, Alma Baumgart, Heinrich Schroder, Hans Groth, Jurgen Groth, Hans Thode, Anna Wieck, Christine Behrens and Frieda Raabe, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Hans Groth, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by H. H. Peters, as executor, acting under the judicial supervision of the County Court of Saunders County, Nebraska;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States re-

quires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 12, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-8820; Filed, Sept. 29, 1947;  
8:47 a. m.]

[Vesting Order 9800]

MARIE UNRUH

In re: Estate of Marie Unruh, deceased. File D-28-11919; E. T. sec. No. 16115.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Unruh and Anna Maria Unruh, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Marie Unruh, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Charles J. Kraus, Jr., as administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 12, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-8822; Filed, Sept. 29, 1947;  
8:47 a. m.]

[Vesting Order 9812]

GEORGE RUOPP

In re: Estate of George Ruopp, deceased. File D-28-11779; E. T. sec. 15986.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johannes Ruopp and Marie Ruopp, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of George Ruopp, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Ted Mayr, as administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Ventura;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-8823; Filed, Sept. 29, 1947;  
8:48 a. m.]